

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

-.-

Civil Writ Petition No. 27387 of 2016 (O&M)

Date of decision : January 09, 2017

Narain Singh

... Petitioner

versus

Union of India & Ors.

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Rajeev Anand, Advocate, for the petitioner.

RAJIV NARAIN RAINA, J

This petition suffers from gross delay and laches. On 01.04.1997, Court Commandant, sentenced the petitioner to be reduced to the Lower Rank (Constable) in the list of his rank for a period of one year w.e.f 01.04.1997 with forfeiture of his Seniority of Rank and forfeiture of all part of the service for the purpose of promotion, under Section 51(1) (f & h) of ITBPF Act, 1992 read with Section 53 of ITBPF Act, 1992. Justification given in the petition that the petitioner was posted in different forward areas from 1999 till 2014 and he is still posted in Ladakh.

I do not find any justification in this long period of legal laches to allow redressal of the grievance when the approach is not within reasonable time. Even if suit was brought in a Civil Court against the impugned order of punishment, it would be barred by time and writ Court would as a measure of prudence not interfere in the matter unless fundamental rights are involved. No such fundamental right is involved.

Accordingly, the petition is dismissed.

**(RAJIV NARAIN RAINA)
JUDGE**

January 09, 2017
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Whether speaking/reasoned – Yes/No
Whether reportable – Yes/No