

**113 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No.5931 of 2017 (O&M)
Date of Decision : 23.03.2017**

Sunita Gupta

..... Petitioner

versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Ramesh Hooda, Advocate
for the petitioner.

AJAY TEWARI, J. (Oral)

This petition has been filed for quashing the impugned orders (Annexures P-12, P-13, P-14, P-16 and P-18) passed by the respondents-department with a further direction to the respondents-department to promote the petitioner as Assistant w.e.f. 17.04.1997, as Deputy Superintendent w.e.f. 20.08.2010, as Superintendent w.e.f. 17.11.2011 and as Registrar w.e.f. 27.05.2015 with all consequential relief including back wages alongwith interest.

The petitioner joined as a Clerk in the Irrigation Department, Haryana in the year 1980 and ultimately retired on 31.08.2015. Thereafter she claimed that in fact the service she had rendered in the field circle from the year 1980-1989 be counted towards promotion. It is not disputed that the order of her transfer (Annexure P-4) specifically stipulated that her transfer would be subject to the condition that her seniority would be reckoned from the date she joins duty in the Head office. The petitioner

in which she mentioned that her first representation on the subject was dated 11.07.2008. That writ petition was disposed of with a direction to the respondents to consider her representations and her representations having been rejected she is before this Court.

Learned counsel for the petitioner has argued that the basis on which the representation has been rejected is flawed.

In my opinion that can not over ride the fact that the petitioner did not challenge the condition of 1989 till the year 2008 and even thereafter filed the first writ petition in the year 2016 after her retirement. Consequently, I have no hesitation in holding that this writ petition is barred by delay and laches and consequently dismiss the same.

Petition stands dismissed.

Since the main case has been decided, the pending Civil Miscellaneous Application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

23.03.2017
pooja sharma-I

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No