

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No.2034 of 2016 (O&M)

Date of Decision: February 28, 2017

Dharinder and another

.....AppellantS

versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT.**

**HON'BLE MR.JUSTICE SUDIP AHLUWALIA.**

\*\*\*

Present: Ms.Alka Chatrath, Advocate, for the appellant.

-. -

**Surya Kant, J.** (Oral)

The appellants were recruited as Constables in Haryana Police statedly in Sportsmen category in response to the advertisement dated 26.07.2004 (P-1). Eventually, the appellants were enrolled as members of a newly constituted Force set-up under the Haryana State Industrial Security Force Act, 2003. The said Act was repealed and services of the entire Force created thereafter were dispensed with in the year 2006. The services of the appellants were also terminated on 03.05.2006. They challenged the order of termination of their services by way of a writ petition filed in the year 2012 which was dismissed by the learned Single Judge vide order under appeal primarily on the ground of inordinate delay and laches.

[2] The aggrieved appellants have preferred this appeal.

[3] We have heard learned counsel for the appellants at a considerable length and gone through the record.

[4] It is conceded in para No.3 of the grounds of appeal that the appellants were awaiting the decision of CWP No.11129 of 2006 which was

Court promptly. The writ petition was decided on merits on 15.02.2012. It is thereafter that the appellants, who were otherwise fence-sitters, suddenly woke-up and filed the instant with petition. Since there is no explanation whatsoever given by the appellants for the inordinate delay and for filing the writ petition at such point of time when even a civil suit for declaration was barred by limitation, no fault can be found with the order passed by the learned Single Judge in dismissing the writ petition being hopelessly delayed.

[5]           Dismissed.

[SURYA KANT]  
JUDGE

February 28, 2017  
*mohinder*

[SUDIP AHLUWALIA]  
JUDGE

|                           |   |        |
|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether Reportable        | : | Yes/No |

LPA No.2034 of 2016 (O&M)

[3]

CM No.4216 of 2016 ub  
LPA No.2034 of 2016

- - -

Dharinder versus State of Hayana and others

----

Present : Ms.Alka Chatrath, Advocate,  
for the applicant-appellant.

\* \* \*

For the reasons mentioned in the application, the same is  
allowed subject to all just exceptions and 264 days' delay in filing the  
appeal is condoned.

CM stands disposed of.

**(SURYA KANT)**  
**JUDGE**

**February 28, 2017**  
*mohinder*

**(SUDIP AHLUWALIA)**  
**JUDGE**