

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

LPA no.2315 of 2016 (O&M)

Date of Decision :18.09.2017

Afsar Singh

....Appellant(s)

Versus

State of Haryana and others

...Respondent(s)

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE RAJ SHEKHAR ATTRI**

**Present : Mr.Gaurav Sharma, Advocate for
Mr. Parveen Bhardwaj, Advocate for the appellant(s)**

MAHESH GROVER, J.(ORAL)

There is no attempt to argue the matter even though the appeal was filed and came up for hearing for the first time in November, 2016. The following orders have been passed:-

“Present:- Mr. Parveen Bhardwaj, Advocate for the appellant
Learned counsel for the appellant seeks time to file additional affidavit to point-out that junior to the appellant has got regularization retrospectively.
List on 12.1.2017.

November 29, 2016

Present:- None for the appellant.

The order dated 29.11.2016 is yet to be complied with.

In the interest of justice, adjourned to 28.2.2017.

January 12, 2017

Present:- Ms. Simranjot Kaur, Advocate for

Mr. Parveen Bhardwaj, Advocate for appellant

One more but last opportunity is granted to comply with the order dated 29.11.2016.

List on 5.4.2017.

February 28, 2017

Present:- Mr. M.S.Kathuria, Advocate for the applicant-appellant.

No case for early hearing of the main case is made out.

Dismissed.

April 07, 2017

Present:- None

CM 1093-94-LPA 2017

Applications are allowed subject to all just exceptions. Annexure A-2 i.e Seniority list is taken on record.

Both the applications stand disposed of.

LPA-2315-2016

Case called twice. No one appears on behalf of the appellant.

In the interest of justice, adjourned to 17.7.2017.

April 05, 2017

Present:- Mr. Gaurav Sharma, Advocate for
Mr. Parveen Bhardwaj, Advocate
for the appellant.

States that there is a bereavement in the family of learned counsel for the appellant. Prays for time.

Adjourned to 18.9.2017.

17.7.2017.”

Today when the matter was called out, a similar request for adjournment has been made which is absolutely without any justification. Neither any written request was circulated nor any plausible justification was given for seeking further adjournment.

We have perused the orders passed by the learned Single Judge dismissing the writ petition on account of delay and laches attributed to the writ petitioner in raising his claim. The facts as noticed in the impugned order reveal that the services of the appellant were regularized w.e.f 1.10.2003 which he accepted and on 24.10.2015 he made a representation that his services should have been regularized w.e.f 1.2.1996 instead of 1.10.2003. Learned Single Judge has noticed delay of 12 years in raising the issue.

We do not find any ground to grant the relief to the appellant. We, therefore, dismiss the instant appeal, more particularly when no serious attempt has been made for almost a year to even address this Court on merits. Hence, instant appeal is hereby dismissed. That apart appeal is also barred by delay of 208 days in filing which is largely unexplained and hence we are not inclined to condone the delay of 208 days in filing the instant appeal.

(Mahesh Grover)
Judge

18.09.2017

rekha

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No

(Raj Shekhar Attri)
Judge