

**IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR.**

D.B. Civil Special Appeal (W) No.1398/2016

Laxman Singh
Vs.
Railway Board & Ors.

DATE OF ORDER ::: 02.01.2017

HON'BLE MR. JUSTICE K.S. JHAVERI
HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Mr. N.K. Gautam, for the appellant.

1. By way of this appeal, the appellant has assailed the judgment and order of the learned Single Judge dated 29.9.2016 whereby writ petition preferred by the original petitioner has been dismissed.
2. The prayers which have been claimed by the petitioner reads as under:-

“(i) The respondents be directed to revise the Group-A Junior Scale post of petitioner as dated 4.6.2001 instead of as dated 4.6.2004.

(ii) Revise the seniority of the petitioner w.e.f. 4.6.2001 as Group-A Junior Scale post and revise date of his promotion to the post of Group-A Sr. Scale post in the year 2006 and further promotion of Administration Gd. Junior Scale post w.e.f. 4.6.2014.

(iii) The intervening chance of the post of Administrative grade post Sr. Scale if any be provided as deemed promotion to the petitioner.

(iv) Revise the financial aspect as of pay, allowance, pension etc. and make such payment to the petitioner.

(v) Cost of the writ petition may be awarded to the petitioner;"

3. While considering the case of the petitioner the learned Single Judge observed as under:-

"In view of above, there is delay of nearly 11 years prior to the representation and otherwise 12 years in filing the present petition. The aforesaid is fatal for claim of promotion. The petition, thus suffers from laches as delay remains unexplained."

4. We are in complete agreement with the view taken by the learned Single Judge.

5. The appeal stands dismissed.

(Vinit Kumar Mathur), J.

(K.S. Jhaveri), J.

Brijesh29.