

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 3646 of 2012**

Karan Singh Karamveer, aged about 45 years, S/o Shri Parau Ram Karamveer, Resident of Village Masania Kala, District Janjgir-Champa (CG)

---- **Petitioner**

Versus

1. State of Chhattisgarh through the Secretary, Department of Panchayat and Social Welfare, DKS Bhawan, Raipur (CG)
2. Joint Director, Department of Panchayat and Social Welfare, Bilaspur, District Bilaspur, CG
3. Director, Department of Panchayat and Social Welfare, Raigarh, CG
4. Deputy Director, Department of Panchayat and Social Welfare, Raigarh, CG

---- **Respondents**

For Petitioner	:	None
For Respondent/State	:	Shri Adhiraj Surana, Dy. Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

24/04/2018

By way of the present writ petition the petitioner has sought for a direction to the respondents for taking him back in service and for granting other consequential reliefs.

2. Facts of the case are that the petitioner was appointed as a Kalapathak Kalakar in the office of respondent no.4 on 14.09.1989. It is said that the petitioner submitted his resignation letter on 29.12.1994 resigning from his post. In between, the petitioner again moved an application on 27.03.1995 to withdraw his resignation letter praying for the petitioner to be taken back in service.

3. A perusal of Annexure P-5 dated 06.10.2010 clearly reflects that there was a continuous unauthorized absence on the part of the petitioner since 06.12.1995 onwards. The present writ petition was filed on 23.08.2012. No plausible explanation has been provided by the petitioner as to what transpired between 1995 to 2012 i.e. till the date of filing of the writ petition. The petitioner is also silent as to whether he had approached the authorities during the intervening period for permitting him to discharge his duties.

4. Given the facts, this Court is of the opinion that the petition suffers from inordinate delay and laches in as much as if the petitioner was keen to resume his duties on withdrawal of his resignation and the Department had refused joining, the petitioner should have promptly challenged the action of the respondents before a competent Court of law. The petitioner seems to have slept over his right and has not reported for duty during the intervening period. The writ petition for the first time was made in August 2012 i.e. after a period of about 17 years. 17 years is quite a large period for somebody to claim for a relief from a writ Court particularly when the relief sought is for a direction to the respondents to take the employee back in service.

5. The writ petition thus suffers from delay and laches and the same is accordingly dismissed.

**Sd/-
(P. Sam Koshy)
JUDGE**