

HIGH COURT OF CHHATTISGARH, BILASPUR**WA No. 563 of 2018**

- A.K. Agrawal S/o Late Shri Rameshwar Das Agrawal Aged About 63 Years Retired Additional Collector R/o Near Ansh Hotel Dhimarapur Chowk Jagatpur, Raigarh Tahsil And District Raigarh Chhattisgarh.

---- Appellant**Versus**

1. The State Of Chhattisgarh Address - Department Of General Administration Mantralaya Mahanadi Bhawan Naya Raipur Chhattisgarh.
2. The Secretary Chhattisgarh Public Service , Commission Shankar Nagar , Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondents

For Appellant	:	Shri Roop Naik, Advocate
For State / Respondent No.1	:	Shri U.N.S. Deo, Government Advocate
For PSC / Respondent No.2	:	Shri Ashish Shrivastava, Advocate

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice
Hon'ble Shri Justice Pritinker Diwaker

Order on Board**Per, Ajay Kumar Tripathi, Chief Justice****13.07.2018**

1. Heard on I.A. No. 01 of 2018, application for condonation of delay of 55 days in filing the appeal.
2. We are satisfied that sufficient cause has been indicated in the application to condone the delay. Delay is condoned.
3. Also heard counsel for the Appellant, counsels for the State as well as Public Service Commission.
4. Only after the Appellant superannuated in the year 2016 that he filed a writ application in the year 2018 making grievances that his case for grant of promotion to the State Administrative Service (Deputy Collector) Junior Grade should have been considered w.e.f. the year 2000.

5. The learned Single Judge, taking note of the claim as well as the grievances, has rightly dismissed the writ application on the ground that after more than a decade and a half such grievances can not be allowed to be raised especially since the Appellant was in service all along and he knew his status as to where he was placed in service *vis-a-vis* his juniors if he had a claim at all.
6. Dismissal of the writ application, therefore, on the ground of extraordinary delay, laches as well as not allowing a leeway to unsettle settled things cannot be said to be an erroneous view taken by the writ Court.
7. Counsel for the Appellant submits that he should be permitted to assail the gradation list which has been published some time in the year 2016 before his superannuation to which the response of the Court is that such a prayer was not made in the writ application and we fail to understand as to why such indulgence be given which will amount to reopening the whole issue *denovo*, which is not permissible.
8. The appeal has no merit. It is dismissed.

Sd/-
(Ajay Kumar Tripathi)
Chief Justice

Sd/-
(Pritinker Diwaker)
Judge