

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5211 of 2018**

Balram Rathore S/o Late Aghori Ram Rathore, Aged About 74 Years,
Occupation Retired Head Master, Meddle School Under Higher
Secondary School Nandore Kala, R/o Post Nandore Kala, Police
Station Sakti, District Janjgir Champa, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of School Education, New Mantralaya, Police Station Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh
2. Principal, Government Higher Secondary School Nandore Kala, Post Nandore, Police Station Sakti, District Janjgir Champa, Chhattisgarh
3. Accountant General Pension Bada, Police Station Civil Lines Raipur, District Raipur, Chhattisgarh
4. State Of Chhattisgarh Through The President Pension Nirakaran Samiti, General Administrative Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Suresh Kumar Verma, Advocate
For State	:	Shri Chandresh Shrivastava, P.L.
For Respondent no.3	:	Shri Raj Kumar Gupta, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****14.08.2018**

Challenge in the present writ petition is to the order dated 24.01.2014 passed by the High Powered Committee constituted by the State Govt. for redressal of retiral disputes pertaining to the Govt. employees.

2. At the outset this Court is of the opinion that the petition suffers from inordinate delay in as much as the petitioner on an earlier occasion had filed a petition i.e. WPS 3427/2013 which stood disposed of on 24.10.2013 whereby the matter of the petitioner was referred to the High Powered Committee constituted by the State Govt. The Committee thereafter in compliance of the direction given by this Court finally vide its order dated 24.01.2014 reached to the conclusion that there was a periodical withdrawals reflected from the GPF account of the petitioner. However, in inadvertently in the passbook available with the petitioner there were some erroneous entries reflected which were not correct. Accordingly, the Committee ordered for recovery of the excess amount paid and release of the balance. After January, 2014 though the order was communicated to the petitioner, it appears that the petitioner for about 4 ½ long years has not taken any steps for challenging the same and has now filed the present writ petition in August, 2018. No specific explanation has been given for the inordinate delay that has caused. It appears that the petitioner was not aggrieved by the said action of the Committee and it is only now for some reason, he has challenged the impugned order dated 24.01.2014 by a fresh writ petition.

3. So far as the delay and laches is concerned, the law by now is well settled by a series of decisions of the Supreme Court starting from the cases of Bhoop Singh v. Union of India¹, New Delhi Municipal Council v. Pan Singh and others², and recently in the case of Chennai Metropolitan Water Supply and Sewerage Board and others v. T. T. Murali Babu³.

4. Considering the entire facts and circumstances of the case, this Court

1 (1992) 3 SCC 136

2 (2007) 9 SCC 278

3 (2014) 4 SCC 108

is of the opinion that the petition suffers from delay and laches and the same is accordingly dismissed.

**Sd/-
P. Sam Koshy
Judge**

Bhola