

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (S) No. 7518 of 2018**

Kashi Ram Patel S/o Late R. D. Patel, Aged About 64 Years, Post Retired Sahayak Pashu Chikitsa Chetra Adhikari, R/o Village Sapose, Chandrapur, District Janjgir Champa, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Live Stock Development Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh
2. The Secretary, General Administration Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh
3. Directorate, Veterinary Services, Ground Floor, Block No.3, Indravati Bhavan, New Raipur, District Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Shri Yogesh Chandra, Advocate
For Respondent/State	:	Ms. Sunita Jain, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****15/11/2018**

The claim of the petitioner in the present writ petition is for grant of second Kramonati pay scale w.e.f. 22.03.2003 in stead of 01.08.2003 which has been granted.

2. The case of the petitioner is that he was working as Sahayak Pashu Chikitsa Adhikari till the date of his retirement which is 30.09.2016. While the petitioner was in service, he had got the benefit of Kramonati vide order dated 23.04.2008 granting the benefit w.e.f. 01.08.2003. The grievance of the petitioner is that the petitioner should have been granted the benefit of

Kramonati from the date he completed 24 years of service i.e. from 22.03.2003 and not 01.08.2003.

3. The aforesaid factual matrix of the case is not disputed.

4. Perusal of the record would show that the petitioner even after the order of Kramonati being passed in his favour vide order dated 23.04.2008 continued to remain in employment for another period of about 8 1/2 years. During these period the petitioner never raised any grievance or objection nor was he aggrieved by the decision of the respondents granting the benefit of Kramonati from 01.08.2003. It is now after more than 2 years from his retirement and more than 12 years from the date the benefit was granted that he has filed the present writ petition.

5. The factual details given in the preceding paragraphs and the relevant dates mentioned herein above would clearly reflect that there is a huge inordinate and unexplained delay on the part of the petitioner in approaching the Court for redressal of his grievance if any. Moreover, from the reading of the pleadings it appears that the dispute is confined to the benefit that the petitioner might have got for less than 5 months period as according to him he should have got it from 22.03.2003 and he has been granted the benefit from 01.08.2003. The petition suffers from delay and laches. The matter seems to be a post retirement luxurious litigation.

6. For the aforesaid reasons this Court does not find any strong case made out by the petitioner and the writ petition therefore deserves to be and is accordingly rejected on the ground of delay and laches.

Sd/-
(P. Sam Koshy)
JUDGE