

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI**WRIT PETITION No.23963 OF 2007****ORDER:**

1. This writ petition is filed seeking to issue a writ of Mandamus declaring the action of the 3rd respondent in imposing punishment of deferment of annual increments for a period of three years with cumulative effect and treating the suspension period as not on duty, vide his proceedings dated 15.2.1999 as illegal and arbitrary, and consequently, to set aside the same.

2. When this matter is taken up for hearing, the learned Counsel for the petitioner submitted that in similar matter viz., W.P.No.25682 of 2007, dated 3.10.2018, the punishment of deferment of annual increments with cumulative effect is modified to that of without cumulative effect.

3. Though this Court in similar case had modified the deferment of annual grade increments with cumulative effect to that of determent of annual grade increments without cumulative effect, in the instant case, the same relief cannot be granted as the punishment was imposed in the year 1999 and the appeal and review were filed by the petitioner in the year 2000 and thereafter, the petitioner challenged the same in the year 2007. There is delay of seven years and therefore, the

writ petition is liable to be dismissed on the ground of delay and laches.

4. Accordingly, the Writ Petition is dismissed. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Dated:31st October, 2018.
Nn.



HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.23963 OF 2007

(dismissed)



31/10/2018

Nn.

