

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 11.01.2018****CWP No.12468 of 2015**

Krishan Lal

...Petitioner

Vs.

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. I.D.Singla, Advocate, for the petitioner.

Ms. Shruti Jain Goyal, AAG, Haryana.

RAJIV NARAIN RAINA, J. (ORAL)

1. The services of the petitioner were regularized w.e.f. 01.02.1996 as Beldar. He has approached this Court in 2015 claiming that he should have been regularized in a Group C (Grade II) post as a Water Pump Operator.

2. The petition has been opposed by Ms. Shruti Jain Goyal, learned AAG, Haryana, on the ground of enormous delay of over two decades. Not only is there delay, but also unexplained laches in the belated approach in view of the law in Union of India & another Vs. M.M.Sarkar, (2010) 2 SCC 115; C. Jacob Vs. Director of Geology & Mining of Ministry & another, (2009) 10 SCC 115 and State of Uttaranchal & another Vs. Shiv Charan Singh Bhandari & others, (2013) 2 SCC 179 and I have no reason to interfere in this writ petition.

3. If the hidden claim is for seniority and promotion, even then the petitioner would not be entitled to consideration on principles of equity,

justice and good conscience and a mandamus will not issue to tide over the humongous delay.

4. Mr. Singla has placed strong reliance on Annexure P-3 dated 20.07.2012. I have considered the argument and reject the same. The reason for this is that it confers no right on the petitioner, which is plainly retrospective to remote past. Even thereafter, the approach is delayed a little short of three years and for this period also, the petition deserves to be dismissed, if not on delay, on laches. There can be no antedated regularization either in 2012 or in 2015 dating back to 1993 bringing the petitioner from Group D to Group C service without there being rule to support it.

5. For the foregoing reason, I do not find any merit in the instant petition. The same is accordingly ordered to stand dismissed.

11.01.2018
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>