

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.4192 of 2018

Date of Decision: 21.02.2018

Ajay Kumar Gaur

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Sunil Kumar Bhardwaj, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J. (Oral)

This petition suffers from delay and laches as far as claim to promotion to the post of Deputy Superintendent is concerned.

The petitioner retired in November 2014. On March 01, 2016 he was promoted as Assistant retrospectively from 2007. The orders were passed during the pendency of the earlier petition filed by the petitioner bearing CWP No.16104 of 2015 which was disposed of as infructuous on the statement made by the counsel for the petitioner that necessary promotion has been granted from the back date. The orders were passed on November 09, 2017. The petitioner did not agitate the orders before the Court again without delay. The claim based on the office order dated September 26, 2012, where many Assistants were promoted as Deputy Superintendents is stale. The petitioner's claim based on promotion of alleged juniors in the past would be hit by Order 2 Rule 2 CPC. The

petitioner cannot come again and again seeking relief in parts (See P.S. Sadasivaswamy vs. The State of Tamil Nadu, AIR 1974 SC 2271).

In any case, the petition suffers from laches going back to the year 1978 when he was appointed on compassionate grounds on account of death of his father serving in the Education Department.

No explanation is forthcoming as to what kept the petitioner back and accordingly, the petition suffers from delay and laches and is hereby dismissed.

(RAJIV NARAIN RAINA)
JUDGE

21.02.2018

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No