

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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**CWP-19435-2016 (O&M)
Date of decision:12.01.2018**

Charanjit Kaur

....Petitioner

Versus

The United India Insurance Company Limited and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. A.K.Walia, Advocate for the petitioner.

Mr. D. R. Bansal, Advocate for the respondents.

P.B. BAJANTHRI, J. (ORAL)

In the instant writ petition, petitioner has sought for the following relief:-

- i) A writ order or direction especially a writ in the nature of mandamus directing the respondents to extend the benefit of the judgment dated 05.08.2015 Annexure P-9 to the petitioner and to re-determine her merit by awarding qualification marks for the MBA degree in the promotion exercise 2013 for promotion from the post of Assistant to the post of Senior Assistant and to promote her to the post of Senior Assistant w.e.f. the due date from which officials of the same batch were promoted with all consequential benefits.*
- ii) A writ, order or direction especially a writ in the nature of Mandamus declaring/directing that the case of the petitioner is covered by the judgment dated 05.08.2015 and that the petitioner is also entitled to the grant of same benefit as the petitioner of the said writ petition and entitled to be promoted*

from the due date with all consequential benefits”.

In identical matter this court was pleased to reject petition on 24.03.2017 in CWP No. 6816 of 2016 on the ground of delay with reference to decision passed by the Supreme Court in the case of ***State of Uttar Pradesh and others versus Arvind kumar Srivastava and others*** reported in 2015 (1) SCC 347 read with decision of Supreme Court in the case titled as ***P.S. Sadasivaswamy versus State of Tamil Nadu*** reported in 1975 SCR (2) 356. Petitioner had cause of action in the year 2013 and for the first time he has approached this court in the year 2016. It is clear case of fence-sitter . Accordingly, CWP stands dismissed.

12.01.2018

pooja saini

(P.B.BAJANTHRI)
JUDGE

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No