

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.9132 of 2018

Date of Decision: 18.04.2018

Jaikanwar

... Petitioner

Versus

State of Haryana and others

... Respondents

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

Present: Ms. Kiranjeet Kaur, Advocate,
for Mr. R.S. Malik, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J.(Oral)

The challenge in this petition is to the order dated May 08, 2012 (P-5) regularizing the services of the petitioner in Class-IV post. Retrospective claim for antedated regularization from the date alleged junior employees were regularized as per policy 1998-99 vide P-7 dated August 16, 2017 w.e.f. January 27, 1999 in terms of the orders passed in CWP No.5926 of 2001, *Vidya Devi and others v. State of Haryana and others*, decided on February 20, 2002 but this case cannot be applied in the case of the petitioner because of his belated approach to seek legal redress. He is not a party in *Vidya Devi* case or any other matter and has remained contented with the order of regularization passed on May 08, 2012 with immediate effect. The claim deserves to be declined on the ground of delay and laches and fence-sitting as explained by the Supreme Court in State Of U.P. and others v. Arvind Kumar Srivastava and others, (2015) 1 SCC 347.

Those who sleep over their rights and do not approach Court in time and let time pass, lose their right to remedy. Delay defeats equity.

No ground made out for interference in a dead claim.
The petition stands dismissed.

(RAJIV NARAIN RAINA)
JUDGE

18.04.2018
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No