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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 10184/2018 CM APPL. 39676-39677/2018 (exemption)
NARESH KUMAR SHARMA Petitioner
Through Mr.Sibo Shankar Mishra with
Mr.Uma Kant Mishra, Advs.

versus

UNION OF INDIA AND ORS. Respondent
Through Mr.Vivekanand Mishra, Adv.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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26.09.2018

1. The present petition has been filed by the petitioner aggrieved by an order dated 12.03.2018 passed by the respondent no.4, whereunder his plea for out of turn promotion has been rejected on the ground that the case is over 16 years old and the records have been weeded out and, therefore, the question of evaluating the petitioner's case for an out of turn promotion is not possible.

2. At the outset, we have requested learned counsel for the petitioner to explain the steps taken by his client w.e.f. 27.03.2003, the date when the petitioner's name was recommended for an out of turn promotion to the rank of Sub-Inspector on his winning two Gold Medals in the 51th All India Aquatic and Cross Country Championship Games held on 27.10.2002.

3. Learned counsel for the petitioner draws our attention to the representation dated 05.12.2004 addressed by him to the respondents for seeking an out of turn promotion to the post of Sub-Inspector.

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4. We have next asked learned counsel for the petitioner to explain the steps taken by the petitioner for seeking legal recourse within a reasonable time, on not receiving any response from the respondents, after submitting a representation on 05.01.2004. Except for baldly stating that the petitioner was posted at hard places and was not able to seek legal recourse, there is no explanation coming forthwith to explain the delay of a decade and a half in seeking the relief for an out of turn promotion. It is not surprising that the respondents have rejected the request of the petitioner vide the impugned order dated 12.03.2018, clearly stating *inter alia* that all the relevant records have been weeded out and the question of evaluating his candidature for an out of turn promotion to the post of a Sub-Inspector cannot be entertained.

5. We do not see any illegality or arbitrariness in the impugned order. If the petitioner had a grievance, he ought to have approached the respondent with promptitude. Having failed to do anything for a decade and a half, we are not inclined to direct the respondents to reconstruct the records and examine his case at this belated stage.

6. As a result, the petition is dismissed on the ground of delay and *laches* alongwith the pending applications.

HIMA KOHLI, J

REKHA PALLI, J

SEPTEMBER 26, 2018/sr

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