

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 7378 of 2019

T. R. Sonkar S/o - Late Shri Thukel Ram Sonkar Aged About 61 Years
Working As Assistant Sub Inspector, Bagnadi, District Rajnandgaon
Chhattisgarh.

---- Petitioner(s)

Versus

1. State of Chhattisgarh Through The Principal Secretary, Department of Home, Mahanadi Bhawan, Mantralaya Atal Nagar, Raipur Chhattisgarh.
2. Superintendent of Police, Rajnandgaon Chhattisgarh.
3. Inspector General of Police, Durg Rage, District Durg Chhattisgarh.
4. Director General of Police, PHQ, Atal Nagar, Raipur District Raipur Chhattisgarh.

---Respondents

For Petitioner	:	Shri Ganesh Burman, Advocate.
For State	:	Shri P. Acharya, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

17.09.2019

1. The relief sought for by the petitioner in this petition is for an appropriate direction to the respondents to consider and decide the appeal which the petitioner has preferred on 19.07.2019.
2. At the outset, this court is of the opinion that the writ petition suffers from inordinate delay laches, inasmuch as, the petitioner was inflicted with punishment on 26.12.2014 wherein it was specifically mentioned that in case if the petitioner is aggrieved of the order, he could prefer an appeal within a period of 30 days. The petitioner, it appears that, has slept over his right for almost five years. That, he has filed the appeal only on 19.07.2019 and now he has filed the present writ petition immediately thereafter seeking for a direction to the respondent authorities to decide the appeal of the petitioner.
3. No plausible explanation has been given by the petitioner as to why he could not prefer the appeal within the stipulated period of 30 days or within a reasonable period from the date of order of punishment was passed.

Five years is a very long time for any person to prefer an appeal against the order of punishment, even if it is a minor punishment or a major punishment. Thus, no case is made out by the petitioner for issuance of writ to the respondents.

4. The writ petition thus fails and is accordingly rejected on the ground of delay and laches.

Sd/-
(P. Sam Koshy)
Judge

inder