

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-4352-2019 (O&M)
Date of Decision: 08.04.2019

Janak Singh & others

--Petitioners

Versus

State of Punjab & others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Gaurav Sharma, Advocate for the petitioners.

TEJINDER SINGH DHINDSA.J (Oral)

Pleadings on record would indicate that the respondent-Punjab State Power Corporation Ltd. had initiated a process for recruitment of 5000 Linemen on contract basis on a consolidated salary of Rs.10,000/- per month in January, 2011 vide public notice at Annexure P-1/1. Petitioners herein had participated in such process of recruitment. The respondent-Corporation, however, issued appointment letters to 1000 Linemen against the advertised posts of 5000.

Instant writ petition seeks quashing of a public notice dated 20.12.2013 (Annexure P-5) issued by the Corporation initiating a fresh recruitment process for 1000 Linemen again on a consolidated salary of Rs.10,000/- per month.

Counsel for the petitioners would vehemently contend that since the Corporation had already initiated a process for recruitment of 5000 Linemen in January, 2011 and which had fructified in the issuance of letters to 1000 Linemen only, therefore, the impugned public notice dated 20.12.2013 (Annexure P-5) clearly works to the prejudice of such applicants including the petitioners herein and who had not secured appointment against the initial recruitment process of 5000 Linemen.

Counsel further submits that identically situated candidates had earlier filed writ petition before this Court assailing the public notice dated 20.12.2013 (Annexure P-5) but such writ petition was dismissed by the Writ Court. L.P.A-1940-2016 having been filed, the same is still pending consideration.

Having heard counsel for the petitioners at length, this Court is of the considered view that the instant writ petition suffers from inordinate delay and laches and as such, deserves to be dismissed.

The impugned public notice was issued on 20.12.2013. No justification is coming forth in the writ petition with regard to the inordinate delay of more than 5 years in having approached the Writ Court. Petitioners would not be entitled to draw any mileage on account of pendency of LPA-1940-2016 on the simple reasoning that identically situated candidates had chosen to agitate the matter and had invoked the extra ordinary writ jurisdiction much prior in point of time. The petitioners herein can be termed as fence sitters. They cannot be treated at par with the appellants now in LPA-1940-2016.

Writ petition is, accordingly, dismissed on ground of delay and laches.

(TEJINDER SINGH DHINDSA)
JUDGE

08.04.2019

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No