

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-6345-2019 (O&M)
Date of Decision: 06.05.2019

Sandeep Kumar Dhawan

--Petitioner

Versus

The Engineer-in-Chief & others

--Respondents

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

Present:- Mr. Piyush Khanna, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J (Oral)

Instant writ petition has been filed raising an innocuous prayer for respondent no.1 to take a decision on a legal notice dated 31.1.2019 (Annexure P-1) that is stated to have already been served.

Having heard counsel for the petitioner at length and having perused the case paper book, this Court is of the considered view that the instant writ petition is wholly misconceived and merits dismissal.

Apparently petitioner was awarded the contract for supply of road material for the work of strengthening of the Dhar Shul to Jakhal Road Group No.III in the year 1987. As per contract entered into the work was to be completed in a time frame of one year i.e. in the year 1988.

Counsel concedes that the work having been executed the payments in lieu thereof were duly released. However, it is towards seeking the refund of the security deposit and earnest money that the legal notice dated 31.1.2019 had been served and for taking a final decision thereupon that the instant writ petition has been filed.

Clearly as per pleadings of the petitioner himself, cause of action, if at all, had accrued to the petitioner in the year 1988 itself. For certain strange reasons petitioner has chosen to sleep over his rights and to

agitate the matter now in terms of filing the instant writ petition after a lapse of 30 years approximately.

It is a highly belated claim that is sought to be set up. The same cannot be entertained.

Petition is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

06.05.2019

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