

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-15334-2019

Date of decision: 30.05.2019

Hoshiar Singh

...Petitioner

Versus

Union of India & another

...Respondents

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr.Devender Arya, Advocate, for the petitioner.

G.S. SANDHAWALIA, J. (Oral)

Prayer in the present writ petition, filed under Articles 226/227 of the Constitution of India, is for issuance of direction to the respondents to promote the petitioner from the date his junior was promoted and to grant the service benefits due thereupon along with interest and arrears.

Admittedly, the petitioner has retired on 15.06.2018, after serving from 22.09.1980, when he had joined as an Attender. The cause of action arose when the junior was promoted on 07.02.2005. In such circumstances, this Court is of the opinion that the extraordinary writ jurisdiction is not liable to be exercised in the present case on account of the delay and laches in agitating for his rights.

An argument is raised that it is a recurring cause of action. Even if that is so, it is always open to the petitioner to approach the Civil Court, in accordance with law.

Accordingly, the present writ petition is disposed of, with the above-said liberty.

30.05.2019

Sailesh

(G.S. SANDHAWALIA)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No