

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

**CWP NO. 27171 OF 2019
DATE OF DECISION : 17.12.2019**

Gurjit Singh

...Petitioner

versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. J. P. S. Sidhu, Advocate,
for the petitioner.

ARUN MONGA, J.(ORAL)

1. Petitioner herein seeks issuance of a writ in the nature of certiorari to quash order dated 27.02.1996 (Annexure P-1) whereby his three years of service has been forfeited on permanent basis.

2. The petitioner had joined service as Constable on 17.11.1989. He fell ill on 06.04.1993 and remained under treatment upto 06.05.1993. He was placed under suspension on 08.04.1993 despite the fact that he applied for medical leave for the said period. Medical leave was declined and departmental enquiry was initiated against him, which resulted into his dismissal from service. The petitioner went in appeal against the said order wherein his punishment was reduced to forfeiture of one year of service. When the petitioner was under suspension, another delinquency of absence from 21.06.1993 to 18.07.1993

was reported. The petitioner was found guilty for that absence in the enquiry proceedings and was dismissed from service vide order dated 02.02.1994.

3. Petitioner also preferred appeal against the dismissal order which was dismissed vide order dated 02.02.1994. Thereafter, he filed revision petition against the said order. Vide order dated 27.02.1996 (Annexure P-1), the punishment of dismissal awarded to the petitioner was reduced to forfeiture of service of three years on permanent basis. Revision-cum-mercy petition filed by the petitioner against the said order was also dismissed vide order dated 25.06.2019.

4. The entire narrative in the writ petition and the contentions raised therein is on the merits of the impugned order without there being even a whisper to the circumstances as to why the petitioner having once acquiesced in the impugned order has all of a sudden preferred to file a writ petition in the year, 2019, after a gap of 23 years, as a bolt from the blue.

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

(ARUN MONGA)
JUDGE

DECEMBER 17, 2019
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No