

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 4552 of 2020

1. Tikaram Ramteke, S/o Jhaduram, Aged About 47 Years, Posted As Chowkidar (CCH) Branch Halba of Branch Pakhanjur of Chhattisgarh Ware Housing Corporation, Kokadi, Tahsil And Police Station Kanker, Civil And Revenue, District : North Kanker, Chhattisgarh

---- Petitioner

Versus

1. The State Of Chhattisgarh Through Principal Secretary, Civil Supplies And Consumer Protection Department, Mahanadi Bhawan, Atal Nagar, New Raipur, District : Raipur, Chhattisgarh
2. Managing Director, Chhattisgarh State Ware Housing Corporation, (New Address) Village Jhanj, Sector 24, Atal Nagar, Mowa Raipur, District : Raipur, Chhattisgarh
3. Personnel Manager, Chhattisgarh Ware Housing Corporation, N - 3, Avanti Vihar, Telibandha Raipur, District : Raipur, Chhattisgarh
4. Branch Manager, Chhattisgarh State Ware Housing Corporation, Branch Kanker, District : Kanker, Chhattisgarh

----- Respondents

For Petitioner	:	Mr. Rakesh Pandey, Advocate
For State	:	Mr. Sudeep Verma, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

27.11.2020

1. The challenge in the present writ petition is to the order Annexure P-1 dated 19.06.2015. Vide the said order, the respondent no. 3 has rejected the representation of the petitioner, so far as grant of increment from the date of initial date of appointment is concerned.

2. At the outset, this Court is of the opinion that the writ petition suffers from delay and latches for the simple reason that the impugned order was passed on 19.06.2015 and the present writ petition is being filed after more than five years. Another aspect which needs consideration is that, the impugned order Annexure P-1 itself was passed pursuant to the order passed by this Court on 31.07.2014 in WPS No. 3608 of 2014. The petitioner having once approached the High Court and obtained an order for directing the respondents to take a decision and the respondents having taken a decision that too as early as on 19.06.2015 which was never further challenged by the petitioner, forces this Court to draw an inference that the petitioner at that point of time was satisfied with the order passed by the respondents and for this reason, the petitioner does not choose to challenge the same for all these reasons for more than, five years is a considerable long period of time for considering the writ jurisdiction of this Court particularly in the backdrop of the impugned order having itself passed on a direction of this Court.
3. Given the said facts, the present writ petition stands rejected on the ground of delay and latches itself. The rejection of the order would not preclude the petitioner from availing the other remedies available to him to approach the administrative side by approaching the authorities in the department.

Sd/-
(P. Sam Koshy)
Judge