

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

125

**CWP No.5513 of 2020 (O&M)**  
**Date of decision:28.02.2020**

*Sajjan Kumar*

*... Petitioner*

*Vs.*

*State of Haryana and others*

*... Respondents*

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

Present: Mr. Mazlish Khan, Advocate for the petitioner.

...  
**TEJINDER SINGH DHINDSA, J. (ORAL)**

Petitioner retired from the post of Lecturer (School Cadre) on 30.04.2015 having attained the age of superannuation.

Instant writ petition has been filed in the year 2020 seeking a writ of Certiorari for quashing of a seniority list at Annexure P-4.

The date of the impugned seniority list is not forthcoming. Be that as it may, in matters of promotion and seniority, the employee concerned has to agitate the matter within a prudent time frame. In this regard, observations of the Hon'ble Apex Court in the case of ***P.S. Sadasivaswamyy Vs. State of Tamil Nadu, AIR 1974 SC 2271*** would be relevant and are reproduced hereunder:-

*“A person aggrieved by an order of promoting a junior over his head should approach the Court at least within six months or at the most a year of such promotion. It is not that there is any period of limitation for the Courts to exercise their powers under Article 226 nor is it that there can never be a case where the Courts cannot interfere in a matter after the passage of a certain length of time. But it would be a sound and wise exercise of discretion for the Courts to refuse to*

*exercise their extra-ordinary powers under Article 226 in the case of persons who do not approach it expeditiously for relief and who stand by and allow things to happen and then approach the Court to put forward stale claims and try to unsettle settled matters. The petitioner's petition should, therefore have been dismissed in limine. Entertaining such petitions is a waste of time of the Court. It clogs the work of the Court and impedes the work of the Court in considering legitimate grievances as also its normal work. We consider that the High Court was right in dismissing the appellant's petition as well as the appeal.”*

The instant petition assailing the seniority list at the hands of the petitioner post retirement cannot be entertained.

Dismissed.

**28.02.2020**

Gaurav

**(TEJINDER SINGH DHINDSA)**

**JUDGE**

***Whether speaking/reasoned?***

***Yes/No***

***Whether reportable?***

***Yes/No***