

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

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CWP-11370-2020

Decided on : 07.08.2020

Mohan Singh

... Petitioner

Versus

Additional Chief Secretary-cum-Financial Commissioner & others ... Respondents

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

Present: Dr.R.P.S.Girwar, Advocate, for the petitioner.

(The proceedings are being conducted through video conferencing,
as per instructions.)

G.S. Sandhawal, J. (Oral)

Prayer in the present writ petition, filed under Articles 226/227 of the Constitution of India is for disposal of the pending representation/application dated 16.03.2020 (Annexure P-6) and for grant of all service benefits with retrospective monetary benefits along with all consequential benefits including pay fixation, according to the DPC recommendation dated 28.08.2008.

A perusal of the writ petition would go on to show that petitioner had retired on 30.04.2009 and thus, also claims promotion from the post of Surveyor to Land Security Officer from 01.01.2009.

Counsel has vainly tried to argue that he was not aware of the recommendation of the Departmental Promotion Committee as he got the same through Right to Information Act, 2005 and therefore, the delay in agitating for his grievance.

Nothing has been shown to this Court as to whether during the period of service, petitioner had made any such request or immediately after his retirement also. In such circumstances, this Court is of the opinion that extraordinary writ jurisdiction of this Court is not liable to be exercised as there is a patent delay of over a decade in the present case.

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Faced with this situation, counsel prays for liberty to withdraw the present writ petition, to avail of his remedy before the Civil Court, in accordance with law.

Dismissed as withdrawn, with the aforesaid liberty.

**(G.S. SANDHAWALIA)
JUDGE**

AUGUST 07, 2020

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Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No