

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

CWP-13193-2020

Date of decision: 31.8.2020

Amarjeet Miglani**.....Petitioner.****vs.****State of Punjab and others****.....Respondents.****CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR**

Present: - Mr. Sunny Singla, Advocate, for the petitioner.

Mr. Nikhil Chopra, Additional Advocate General, Punjab.

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Sanjay Kumar, J. (ORAL)

The petitioner retired as a Junior Assistant in the service of the Nagar Council, Samrala, Ludhiana, on 31.1.2013. By way of this writ petition, he seeks a direction to the authorities to promote him as a Senior Assistant with effect from the due date with all consequential benefits along with interest.

The petitioner was regularized in service as a Junior Assistant in the Nagar Council, Samrala, in January, 1996. Mr. Sunny Singla, learned counsel for the petitioner, would state that the petitioner should have been promoted as a Senior Assistant upon completion of eight years of service as a Junior Assistant. Therefore, the petitioner, as per his claim, was entitled to be promoted as a Senior Assistant in the year 2004 itself. He, however, continued in the service of the Nagar Council as a Junior Assistant without protest and retired from service as such in January, 2013. No material is placed on record in proof of the petitioner ever raising any claim or agitating his grievance with regard to denial of his

promotion, if actually due, while he was in service. The representations now produced are also of the year 2014, i.e., after the retirement of the petitioner from service. Further, having made such representations in the year 2014, the petitioner slept over the matter and did not even choose to take further steps till 2020.

Viewed from any angle, the claim of the petitioner is clearly barred by delay and laches. The hopelessly belated claim of the petitioner therefore does not warrant consideration on merits. In consequence, the petitioner is not entitled to seek a direction to the respondents to consider and act upon his legal notice, thereby reviving this dead cause.

The writ petition is devoid of merit and is accordingly dismissed.

No order as to costs.

(SANJAY KUMAR)
JUDGE

31.8.2020

preeti

whether speaking/non speaking

yes/no

whether reportable/non reportable

yes/no