

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

CWP-16963-2020
Date of Decision:- 14.10.2020

Jagan Singh

..... Petitioner

Versus

Chief Administrator, HUDA and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Ashok Kaushik, Advocate for the petitioner.

Mr. Rajesh Gaur, Additional A.G., Haryana and
Mr. Minderjeet Yadav, DAG, Haryana.

SANJAY KUMAR, J. (Oral)

The prayer of the petitioner is to direct the respondents to allow him to join duty and to pay his arrears of salary, along with other service benefits.

The petitioner claims to have worked as a Cleaner in the service of the Superintending Engineer, Haryana Urban Development Authority (HUDA), Gurugram. His further claim is that he was regularized in service

on 19.03.1997. According to him, he was not allowed to join duty without passing any order.

Significantly, the petitioner does not mention as to when this event came to pass. However, he stated that he had moved representations on 20.09.2012 and 25.03.2013, but to no avail. The implication of this averment is that the cause of action with regard to his not being allowed to join duty arose prior to September, 2012.

The petitioner admittedly filed *CWP-9076-2013* before this Court but got the same dismissed as withdrawn on 07.03.2014 with liberty to file a fresh case with better particulars. Again, there is no explanation forthcoming as to why the petitioner did not choose to do so immediately. The petitioner seems to have submitted a representation, long thereafter, on 25.09.2019 (Annexure P-5). He then filed the present writ petition in October, 2020, without furnishing any reasons for the delay on his part in seeking redressal of a grievance dating back to the year 2012.

Except for placing on record the seniority list dated 10.07.2011 (Annexure P-1), the petitioner did not produce any relevant documents pertaining to his employment and regularization in service.

In the absence of proper pleadings and supporting material, this Court cannot adjudicate the issue sought to be raised by the petitioner on merits. All the more so, when there is clear and apparent delay and laches on his part. Delay, which he did not even choose to explain, but which would reflect upon and impact the maintainability of this writ petition.

The writ petition is accordingly dismissed on this short ground leaving it open to the petitioner to file a writ petition afresh with full and proper particulars along with supporting material.

In the circumstances, there shall be no order as to costs.

(SANJAY KUMAR)
JUDGE

October 14, 2020.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.