

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.224 OF 2021

RUPESH MADHUKAR GADKAR. ... Petitioner.
Versus
STATE OF GOA, THR. CHIEF
SECRETARY AND 4 ORS., ... Respondents.

Mr. Ganesh Naik, Advocate for the Petitioner.

Mr. D.J. Pangam, Advocate General with Mr. P. Faldessai, Additional
Govt. Advocate for Respondents No.1 to 4.

Coram : M.S. Sonak &
Smt. M.S. Jawalkar, JJ.

Date : 19th April, 2021.

P.C. :

Heard Mr. Ganesh Naik for the Petitioner. Mr. D. J. Pangam, the learned Advocate General appears along with Mr. P. Faldessai, Additional Govt. Advocate for Respondents No.1 to 4.

2. The Petitioner challenges the selections made to the post of Police Sub-Inspector way back on 6th September, 2013.

3. For this very selection which the Petitioner now impugns, the Petitioner was also placed on the waitlist, about which the Petitioner apparently had no objection. This Petition has been filed on 15/1/2021 *i.e.* almost 8 years after the impugned selection. The appointments have already been made in pursuance of the impugned

selection and the appointees have continued in service for last at least 7 years.

4. The only explanation for the delay set out in paragraph 22 of the Petition which reads as follows :

“22. That Petitioner was kept under waiting list. Thereafter, the Petitioner was following up the matter with concerned authorities. From 2019 till date Petitioner is trying to gather the accurate information through RTI. Therefore, there is delay in approaching this Hon'ble Court...”

5. According to us, the aforesaid constitutes no valid explanation for the inordinate delay, as well as laches in the matter. There is no explanation as to why the Petitioner did not react soon-after the impugned selections were made in September, 2013. There is no explanation as to what prevented the Petitioner from instituting a Petition between the years 2013-2019. At this stage, it will not be proper to disturb the selection made almost 8 years ago, in the absence of any proper explanation for the inordinate delay and laches.

6. For the aforesaid reasons, we dismiss this Petition. There shall be no order as to costs.

Smt. M.S. Jawalkar, J.

M.S. Sonak, J.