

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

CWP No.20621 of 2020
Date of decision: 18.01.2021

Kuldeep Sharma

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Chandra Sekhar, Advocate,
for the petitioner.

Ritu Bahri, J. (oral)

Petitioner is seeking direction to the respondents to count the past service rendered by him in the police department as Warder.

Petitioner's services were regularized by Haryana Government General Administrative (General Services-1) notification dated 19.07.1985 w.e.f. 20.07.1985 (Annexure P-1). Thereafter, he applied for the post of JBT through proper channel and was selected to the said post vide order dated 09.11.1995 (Annexure P-2). Later on, petitioner served a legal notice dated 18.04.2002 (Annexure P-7) upon the District Primary Education Officer, Karnal, for counting his past service rendered in the police department. He also filed CWP No.8802 of 2002, which was later on, withdrawn vide order dated 31.05.2002 (Annexure P-8) with liberty to make a representation. Pursuant to the said order, petitioner made a representation dated 07.06.2002 (Annexure P-9). Thereafter, now after a gap of 18 years, petitioner sent a legal notice dated 12.05.2020 (Annexure P-10) upon the respondents.

to state, as to why petitioner has sent the legal notice dated 12.05.2020 (Annexure P-10) after a gap of 18 years. This gap cannot revive the claim of the petitioner for counting the past service. Moreover, the representation made by the petitioner for counting of his past service was declined by the District Primary Education Officer, Karnal, vide order dated 18.04.2002 (Annexure P-7) by observing that the petitioner had submitted his application for the post of JBT without permission of the police department. Consequent upon his appointment, the petitioner joined the Education Department after giving resignation in the previous department.

Petitioner's case is that he had applied through proper channel. However, no document has been placed on record to show that he had taken prior approval from the police department for participating in the selection process for the post of JBT in the Education Department. Moreover, there is a long delay of 18 years in sending the legal notice dated 12.05.2020 (Annexure P-10).

Resultantly, on account of such a long delay, this petition is dismissed.

18.01.2021
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No