

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**108****CWP No.21468 of 2020 (O&M)
Decided on:18.01.2021**

Satyanarayan

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIAPresent: Mr. Vineet Kumar Jakhar, Advocate
for the petitioner.

Mr. R.K.S. Brar, Additional AG, Haryana.

(The proceedings are being conducted through video
conferencing, as per instructions.)**G.S. Sandhawal, J. (Oral)****CM-653-CWP-2021**

Application under Section 151 of CPC for placing on record
copy of judgments as Annexure P-8 and P-9 is allowed subject to all just
exceptions.

CM stands disposed of.

Main case

The present writ petition has been filed under Article
226/227 of the Constitution of India for issuance of a writ in the nature of
certiorari for quashing the order dated 26.06.2004 (Annexure P-5) passed
by respondent No.4 whereby deemed date of promotion to the rank of
Sub Inspector has been rejected.

The cause of action as sought to be revived by the petitioner

by serving a legal notice dated 06.11.2020 (Annexure P-6) after a period of 16 years and then filing the writ petition seeking such direction.

Keeping in view the delay as such this Court is not inclined to entertain the writ petition on the ground of delay and laches as admittedly the petitioner had retired from the service on 30.11.2000. He had also approached the Civil Court on 05.03.2005 (Annexure P-8) for payment of interest on delayed payment of his retrial benefits. If the petitioner had any grudge as such against the order 26.06.2004 (Annexure P-5) he could have raised challenge to the said order at that point of time. Having failed to do, he has filed the writ petition at this belated stage and seeks a relief of consideration for such belated claim.

Accordingly, this Court does not deem it fit to exercise its extraordinary jurisdiction in the facts and circumstances of the case.

Faced with this situation counsel submitted that he would avail the alternative remedy. It is open to the petitioner to exercise the same in case it is legally tenable.

The present writ petition is disposed of.

18.01.2021
Parveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No