

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

Sr. No.554

CWP-12427-1999 (O&M)

Date of decision: May 17, 2022

Raj Vir Singh, District Town Planner

...Petitioner

Versus

State of Haryana and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Sachin Jain, Advocate
for the petitioner.

Mr. R.D. Sharma, Deputy Advocate General, Haryana.

ARUN MONGA, J. (ORAL)

Petition was filed in the year 1999, *inter alia*, for issuance of a writ in the nature of certiorari quashing orders dated 04.02.1998 (Annexure P-21) and 23.07.1998 (Annexure P-23), thereby denying 10% of the presumptive pay of the additional post of Estate Officer, Haryana Urban Development Authority to the petitioner in terms of Rule 4.22 (iii) of the Punjab Civil Services Rules, Vol. I, Part I (*as applicable to the State of Haryana*).

2. Petition was filed in the year 1999 and has been lying admitted ever since. When called out for hearing, learned counsel is unable to assist the Court for lack of instructions. Learned counsel appearing on behalf of the petitioner states that despite attempts, his office could not contact the petitioner.

3. It seems that by sheer effluxion of time and pendency of the writ petition for more than 22 years before this Court, it has been rendered infructuous and/or the petitioner seems to have lost interest in pursuing the same.

4. In any case, it appears that even on merits, claim of the petitioner is not admissible in view of the following stand taken in para No.1 of the preliminary objections of written statement filed on behalf of respondent No.3, which is reproduced herein for ready reference:

“That the writ petition is liable to be dismissed on the ground of inordinate delay and laches. It is an admitted case of the petitioner that he was given the additional charge of the post of Estate Officer, HUDA, Sonapat w.e.f. 24.01.1992 which he continued till 16.06.1994. Thereafter, also he was given the additional charge w.e.f. January

1995 onwards. Though the petitioner was first time given the additional charge of the post of Estate Officer during January, 1992, however, he represented only on 08.11.1996 for claiming the payment of 10% of the presumptive pay of the additional post of Estate Officer, HUDA, Sonapat. Though the representation submitted by the petitioner has been rejected vide order Annexure P-21, however, delay in submitting the representation by the petitioner cannot be ignored and, therefore, the writ petition is liable to be dismissed.”

5. In the premise, petition is dismissed.

(ARUN MONGA)
JUDGE

May 17, 2022
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Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No