

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

114

CWP-21579-2021

Date of decision : 23.05.2022

Harsh Kaushal

....Petitioner

V/s

Union of India and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Mayank Mathur, Advocate for the petitioner.

G.S. SANDHAWALIA, J. (ORAL)

The challenge in the present writ petition is to the order dated 08.08.2013, whereby the Tribunal had dismissed the application of the petitioner for appointment on compassionate basis.

The employee in question died on 25.09.1988 and the present petitioner was minor at that time as his date of birth was 22.08.1987. On attaining the age of majority, the applicant (petitioner herein) had applied for appointment on compassionate basis, which was rejected on 09.11.2005. The challenge in the Original Application was to the communication dated 08.10.2012 whereby the request of the applicant for compassionate appointment was not accepted on account of the fact that the application was delayed by more than three years.

It is to be noticed that the present writ petition has been filed after nine years of the order passed by the Tribunal. It is settled principle that the writ Court is to be approached at the earliest though there is no limitation prescribed. The extra ordinary jurisdiction is not liable to be exercised in the cases where this Court is not approached at the earliest and not for those who sleep over their rights. It is also settled principle that the law of limitation may operate harshly to

those who are not vigilant for their rights as such and the lis cannot be kept pending for all times to come. Reliance can be placed upon the law laid down in *Esha Bhattacharjee vs. Managing Committee of Raghunathpur Nafar Academy and others, (2013) 12 SCC 649*.

In such circumstances, we are not inclined to entertain the writ petition on account of delay solely.

Accordingly, the writ petition is dismissed in limine.

(G.S. SANDHAWALIA)
JUDGE

(VIKAS SURI)
JUDGE

May 23, 2022
Ajay

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