

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

LPA-775-2022

Date of decision : 19.09.2022

Monu

.....Appellant

Versus

Haryana Staff Selection Commission

....Respondent

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Rahul Sidher, Advocate, for the appellant.

RAVI SHANKER JHA, CHIEF JUSTICE (Oral)

This appeal has been filed by the appellant being aggrieved by an order dated 09.08.2022 passed by the learned Single Bench, whereby the petition (CWP-17484-2022) filed by him seeking a direction to the respondents to consider his representation dated 21.05.2022 seeking re-calculation/re-assessment of the marks awarded to him has been dismissed.

Learned counsel for the appellant submits that the appellant had appeared in a test for appointment to a Group-D post under the B.C.A category, pursuant to an advertisement dated 07.09.2018 issued by the respondent authorities. It is submitted that the test was held on 18.11.2018 and the result thereof was declared on 03.08.2019, but the appellant's name did not find mention in the list of selected candidates.

Admittedly and apparently, no step/representation/challenge was ever made by the appellant to the said result, until 21.05.2022, when for the first time he filed a representation before the authorities seeking re-calculation/re-assessment of his marks. As the authorities did not take any step on the representation of the appellant, he filed CWP No. 17484

of 2022, which has been dismissed by the learned Single Bench on the ground that the petition was filed after a long delay of three years after declaration of result and, therefore, suffered from delay and laches.

Though learned counsel for the appellant has tried to assail the impugned order on the ground that the respondent authorities were required to look into the representation filed by the appellant seeking re-calculation/re-assessment of his marks, however, the factual aspect of the matter that the result was declared on 03.08.2019, and that the appellant had filed the aforesaid representation for the first time on 21.05.2022 is not disputed.

In such circumstances, it is evident that the learned Single Bench has not committed any illegality or perversity while dismissing the petition on the ground of delay and laches. In the facts of the present case, delay of three years in assailing the result is fatal to the claim of the appellant, as has been held by the Supreme Court in **Majji Sannemma alias Sanyasirao v. Reddy Sridevi and others, 2022 AIR (Supreme Court) 332** and **Lingeswaran etc. v. Thirunagalingam, 2022 (2) RCR (Civil) 319**.

Appeal is, accordingly, dismissed.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

September 19, 2022
ndj

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