

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 1703 of 2023

Date of Decision: 30.01.2023

Jasveer Singh

... Petitioner(s)

Versus

State of Punjab and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Deepak Gupta, Advocate
for the petitioner(s).

Mr. Vikas Arora, Assistant Advocate General,
Punjab, for the respondents.

Anil Kshetarpal, J.

1. The petitioner prays for the issuance of a writ in the nature of certiorari to quash the order dated 03.01.2002 vide which the petitioner's services were terminated with a further prayer to quash the order dated 15.04.2020.

2. The relevant facts, in brief, are required to be noticed in order to understand the controversy involved. On being appointed on a compassionate basis, the petitioner joined as a Helper-cum-Laboratory Boy on 16.07.1997, however, he applied for leave in the year 2000 but the leave was never sanctioned. The charge sheet was issued to the petitioner as he remained absent and an inquiry was held. Ultimately, the Appointing Authority terminated the services of the petitioner on 03.01.2002. The petitioner's appeal against the order of the Appointing Authority terminating

his services was dismissed on 04.04.2012. Thereafter, the petitioner once

again filed a representation, and Civil Writ Petition No. 36795 of 2019 which was disposed of with the following order:-

“Without commenting on the merits of the case, the writ petition is disposed of with a direction to the respondents to decide the pending appeal dated 23.01.2012 (Annexure P08) preferably within a period of 6 months after granting the opportunity of hearing to the petitioner.”

3. In compliance, the Director of Industries and Commerce, Punjab, passed an order. It is evident that the service of the petitioner was terminated vide order dated 03.01.2002, which was affirmed in appeal on 04.04.2012. The petitioner, during all this while, did not assail the correctness of the original order dated 03.01.2002, which was affirmed in appeal on 04.04.2012.

4. Keeping in view the aforesaid facts, the writ petition suffers from unexplained delay and laches. The petitioner's claim is stale. Hence, no ground is made out to exercise the extraordinary writ jurisdiction by this Court. Consequently, the present writ petition is dismissed.

(Anil Kshetarpal)
Judge

January 30, 2023
“DK”

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