

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

CWP-3443-2023 (O&M)

Date of decision: 20.02.2023

Surjit Singh

....Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Ranjit Sharma, Advocate for the petitioner

Mr. D.K.Singal, Addl. AG, Punjab

ANIL KSHETARPAL, J (Oral)

Through this writ petition, the petitioner prays for the following substantive reliefs:-

“i. Issuance of writ especially in nature of Certiorari to set aside/quash the order vide which one annual increment had been stopped permanently with effect from 01.01.1996 without issuing any notice or giving any opportunity of personal hearing vide order dated 01.07.2006 as per service book. (Annexure P-1)

ii. Issue a writ in the nature of Mandamus directing the respondents to re-fix the pay of the petitioner after setting aside the order vide which one annual increment had been stopped permanently and made the payment of arrears alongwith interest.

iii. Issue a writ in the nature of Mandamus directing the respondents to decide the Appeal-cum-Representation dated 18.4.2016 Ann.P-3 submitted through proper channel and since then it is lying pending with the respondents and no order has been passed.”

The petitioner, on attaining the age of superannuation, retired on 30.06.2007. He prays for issuance of a writ in the nature of Certiorari to quash the order dated 01.07.2006. Admittedly, the dues of the petitioner were released and he is getting regular pension since

05.02.2008. In such circumstances, the writ petition suffers from unexplained delay and latches. If the petitioner was required to file a civil suit, the same is likely to be dismissed on the ground of being barred by time.

In view of the aforesaid facts, this Court does not find it appropriate to exercise the writ jurisdiction.

Hence, dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

20.02.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE