

117

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-27517-2023 (O&M)
Date of Decision:07.12.2023

ANU SHARMA AND OTHERSPetitioners

V/s.

STATE OF PUNJAB AND OTHERSRespondents

CORAM: **HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA**

Present: Mr. Gursimran Singh Madaan, Advocate for the petitioners.

Mr. R.K. Kapoor, Addl. A.G., Punjab.

SANJEEV PRAKASH SHARMA, J. (Oral)

1. The petitioners by way of this Writ Petition challenges the order dated 22.10.2009 and 23.10.2009.

2. The Writ Petition has been filed in the year 2023 without giving any reasons for not having approached the Court to challenge the orders within reasonable time. Although there is no time limit provided for filing of the Writ Petition, but time and again the apex Court as well as this Court has been observing that reasonable time would ordinarily mean the same time in which there is a limitation provided for filing of a suit i.e. three years. However, this Writ Petition has been filed after almost 14 years of time when the order was passed. Thus, it goes even beyond the maximum limitation period which may be provided under the Limitation Act, 1963.

3. Stale and old cases being taken up by this Court, not only hamper the regular disposal of the cases, but would amount to cause unnecessary burden on this Court in relation to appointments and matter which stand already finalized way back i.e. 10 years or more.

4. Learned counsel for the petitioners faced with such situation also argued that in some similar cases, notice of motion has been issued, therefore, he prays that this case should also be heard along with those cases.

5. However, this Court finds that the Court has not examined while issuing notice of motion in the so called similar cases about the unreasonable delay in filing of the Writ Petition.

6. The Writ Petition suffers from gross laches and delay and the same is **dismissed** accordingly.

7. All the pending applications in this Writ Petition stand disposed of accordingly.

December 7, 2023

Ess Kay

**[SANJEEV PRAKASH SHARMA]
JUDGE**

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	/	<i>No</i>