

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-19398 of 2015 (O&M)

Date of decision: 23.02.2023

Neelam Gupta

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Mahendra Pal, Advocate
for the petitioner.

Mr. R.S.Pandher, Sr. DAG, Punjab

ANIL KSHETARPAL, J(Oral)

1. The petitioner prays for the issuance of a writ of certiorari to quash the order dated 25.02.2011 vide which she was relieved from service on attaining the age of 58 years. She further prays for the issuance of a writ in the nature of mandamus directing the respondents to consider her to have retired at the age of 60 and pay her all the consequential benefits.

2. This writ petition was filed on 10.09.2015. By that time, the petitioner was more than 63 years old. The cause of action, if any, arose on the day the petitioner was relieved from the job. Mere repeated representations filed before the competent authority would not be sufficient to explain the delay in filing the writ petition. Though, there is no limitation for filing the writ petition, however, the court is entitled to reject the claim on the ground of delay itself as a person who sleeps over his/her rights is not entitled to the relief from Court. If the petitioner was to file a suit for the relief claimed in the writ petition, the same would probably be dismissed as being barred by time.

- 3. Keeping in view the aforesaid facts and discussion, this court does not find it appropriate to exercise the writ jurisdiction.
- 4. Dismissed.
- 5. All the pending miscellaneous applications, if any, are also disposed of.

February 23, 2023
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(ANIL KSHETARPAL)
JUDGE

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