

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 24721 of 2022

Date of Decision: 24.01.2023

Bipen Kumar Sood

... Petitioner(s)

Versus

State of Punjab and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Harjot Singh Bedi, Advocate
for the petitioner(s).

Mr. D.K.Singal, Additional Advocate General,
Punjab, for the respondents.

Anil Kshetarpal, J.

1. The petitioner prays for issuance of a writ in the nature of certiorari to quash the order dated 20.09.2022 passed by the Principal Secretary to the Government of Punjab, Department of Animal Husbandry, Fisheries and Dairy Development , Punjab, pursuant to the directions issued on 09.05.2022 in *Bipan Kumar Sood v. State of Punjab and Another (Civil Writ Petition No. 2559 of 2017)* which was filed by the petitioner.

2. In substance, the petitioner claims the financial benefits for having discharged the functions of the Director and Warden, Department of Fisheries, Punjab, w.e.f. 07.07.2009. The petitioner's claim has been rejected by the respondent on the ground that the order dated 07.07.2009, deputing him to discharge such functions, specifically stipulates that the petitioner shall not be entitled to any extra financial benefits for performing the functions of the Director and Warden, Department of Fisheries, Punjab, in

addition to his normal duties/responsibilities.

3. Heard the learned counsel representing the parties, at length and with their able assistance, perused the paper-book.

4. The learned counsel representing the petitioner contends that such a stipulation in the communication dated 07.07.2009 will not debar the petitioner from claiming the additional financial benefits for doing extra work.

5. This Court has considered the submissions.

6. Admittedly, the petitioner, on attaining the age of superannuation and one year extension, retired on 30.04.2015. The petitioner was assigned the additional charge in month of July, 2009. Thereafter, he was promoted as the Deputy Director as well as the Joint Director. Thus, the petitioner has filed this writ petition after a long passage of around 13½ years.

7 The learned counsel representing the petitioner admits that in Civil Writ Petition No. 2559 of 2017, the petitioner sought directions to the respondent to promote him as a Director but the additional financial benefits on account of the financial charge were never sought.

8. Keeping in view the aforesaid facts, this Court is not inclined to exercise its extraordinary writ jurisdiction particularly when the writ petition suffers from unexplained delay and laches. Consequently, the present writ petition is dismissed.

(Anil Kshetarpal)
Judge

January 24, 2023
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No