

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

114

**CWP-28621 of 2022 (O&M)
Date of decision: 09.01.2023**

Baldev Singh and another

..Petitioners

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Baljeet Singh Sidhu, Advocate
for the petitioners.

Mr. Charanpreet Singh, AAG, Punjab

ANIL KSHETARPAL, J(Oral)

The petitioners pray for the issuance of a writ in the nature of mandamus to consider their case for promotion as Agriculture Sub Inspector w.e.f 24.03.1998.

After having joined as Beldars in 1974 , the petitioners claim that they were entitled to be promoted as Agriculture Sub Inspector in the year 1998. On reading of the petition, it is evident that the petitioners have not impleaded any private respondent, who shall stand displaced on account of the petitioners claim. They have also not disclosed the number of vacancies.

This writ petition has been filed in the year 2022. A previous writ petition filed by the petitioners i.e Civil Writ Petition No.18604 of 2001 was disposed of with the following order:-

“Petitioners although had challenged the order dated 15.11.2001, vide which the petitioners were reverted to the post of Beldar from the post of Agriculture Sub Inspector, which order had been stayed by this Court on 28.11.2001, when the case came up for hearing, which interim order continues till date. Counsel contends that the petitioners have superannuated by now and with the efflux of time, the present writ petition would have been

rendered infructuous. Keeping in view the facts that the matter is old and the stay was granted by this Court and by now the petitioners would have been further considered for promotion, no further orders are required to be passed in the present writ petition. Disposed of as such.”

The petitioners, at that point of time, could have amended their writ petition. It is not in dispute that the petitioners retired from service in the years 2006 and 2007, respectively. The claim made by the petitioners suffer from unexplained delay and laches. Hence, this court does not consider it appropriate to issue writ in the exercise of its extra-ordinary jurisdiction.

Disposed of accordingly.

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

January 09, 2023
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(ANIL KSHETARPAL)
JUDGE

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