

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

(120)

CWP-198-2023

Date of decision :- 09.03.2023

Sh. Deepak Lakra

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Harpreet Singh, Advocate for
Mr. Chiranjeev Chauhan, Advocate
for the petitioner.

...

SUVIR SEHGAL, J (ORAL)

By way of present writ petition filed under Section 226/227 of the Constitution of India, petitioner has approached this Court inter alia for issuance of a writ in the nature of certiorari for quashing and setting aside impugned termination order dated 27.03.2015, Annexure P-1, issued by respondent No.2. Another prayer has been made for issuance of a writ in the nature of mandamus directing respondent No.2 to renew the contract of service of the petitioner and to conduct a fair and impartial enquiry into the matter.

Petitioner was engaged as "Computer Operator RTS 108" on contract basis vide letter of contract, Annexure P-3, from 02.04.2017 to 31.03.2013. The contract period was renewed from time to time. Vide impugned order, Annexure P-1, the services of the petitioner were discontinued.

Counsel for the petitioner submits that the petitioner had been discharging his duty with full dedication and devotion and even earned favourable appraisal report, Annexure P-4. Reference has also been made by the counsel upon the communication, Annexure P-5, addressed to the Mission Director, NHM, for upgrading the contract of the petitioner. Counsel submits that Civil Surgeon, Sonapat – respondent No.5 was hostile towards the petitioner and by misusing his powers, he has managed the removal of the petitioner vide impugned order, Annexure P-1, without enquiring into the allegations leveled against him.

I have considered the submissions made by the counsel for the petitioner.

Concededly, by impugned termination order, Annexure P-1, it was decided not to renew the contract of the petitioner as well as another employee and to engage two new Control Room Operators in their place. There has been a time lag of almost of eight years since the time service of the petitioner was disengaged. No explanation whatsoever has been given in the writ petition for the delay in approaching this Court. Except for writing request letters-cum-appeals, Annexures P-5, P-7 to P-9, which are otherwise not maintainable in law, the petitioner has not taken recourse to the remedy available to him in accordance with law. Although, no period of limitation has been prescribed for the writ courts to exercise their powers under Article 226 of the Constitution, but a person aggrieved should approach the Court without loss of time. It would be a sound and wise exercise of discretion for the Courts to refrain from exercise of their extra-ordinary powers, in case a litigant does not approach it expeditiously for seeking relief.

In view of above, petition being bereft of merit, is ordered to be dismissed.

(SUVIR SEHGAL)
JUDGE

09.03.2023
Pardeep

Whether speaking/reasoned	Yes
Whether reportable	Yes/No