

Niti

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.850 OF 2023

RAVINDRA KUSHTA VERNEKAR

... PETITIONER

Versus

STATE OF GOA THR. THE CHIEF
SECRETARY AND 6 ORS

... RESPONDENTS

Mr Vithal Naik, Advocate for the Petitioner.

**CORAM:- THE CHIEF JUSTICE &
M. S. SONAK, JJ.**

DATED :- 8th January, 2024

P.C.:

Heard the learned Counsel for the petitioner.

2. Perused the records available before us. By instituting the proceedings in this Writ Petition, the petitioner is challenging the decision contained in the letter dated 01.10.2013 whereby the Government had declined to accept the resignation of the petitioner. The petitioner also challenges certain consequential decisions dated 19.05.2015 and 22.08.2016.

3. The petition has thus been filed by the petitioner with the delay of about ten years from the date of passing of the impugned order dated 01.10.2013.

4. Though, while exercising writ jurisdiction under Article 226 of the Constitution of India, there is no statutory prescription for limitation, however, any person approaching this Court by filing a Writ Petition under Article 226 needs to explain the delay and laches.

5. When confronted with the query as to how can this petition be entertained after such an inordinate delay, our attention has been drawn to the averments made in para 35 of the Writ Petition wherein it has been stated that the petitioner belongs to the Scheduled Tribe Community, which is an underprivileged and backward class of the society and, accordingly, the delay in this case in filing this petition may be condoned. The explanation given for approaching the Court after ten years by the petitioner, cannot be accepted. The petitioner has been in employment with the Indian Reserve Battalion as Police Sub-Inspector since 2013 and, hence, the explanation offered is unacceptable.

6. The petition is thus dismissed for unexplained inordinate delay and laches.

M. S. SONAK, J.

THE CHIEF JUSTICE, J.

NITI K
HALDANKAR

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