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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-73-2024

Date of Decision: 08.01.2024

Ram Prakash Sharma

. . . . Petitioner

Vs.

State of Punjab and others

. . . . Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Mr. Dinesh Kumar, Advocate for the petitioner.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. The petitioner claims promotion from the year 1995. Writ petition has been filed in the year 2024 based on a letter issued by the District Education Officer, Rupnagar on 21.01.2021 and the letter issued by the Assistant Director replying to the DEO with regard to the recommendation made by him for giving notional promotion to the petitioner.
2. Learned counsel for the petitioner was pointedly asked as to why the petitioner has remained silent from the year 1995 up to 2021. There is no occasion for the District Education Officer, Rupnagar to have initiated a suo moto action for granting notional promotion to the petitioner in spite of the fact that there is no representation of the petitioner on record from 1995.
3. Learned counsel for the petitioner submits that he was given promotion in the year 2005 from 13.11.1993. However, this Court finds that the promotion granted to the petitioner from 13.11.1993 vide order dated

16.05.2005 does not give any financial benefit. The said order is not under challenge.

4. Thereafter, the order has been passed on 21.01.2021 by the same District Education Officer recommending for giving notional benefits. Such orders passed by the District Education Officer in favour of an individual who has never claimed his promotion at the relevant time *prima facie* show abuse of exercise of power by the said District Education Officer. However, the exercise and recommendation made by the District Education Officer have been rejected rightly by the Assistant Director, Education.
5. No interference of this Court is warranted. Writ Petition suffers from gross laches and delay.
6. Writ Petition stands *dismissed* accordingly.

(SANJEEV PRAKASH SHARMA)
JUDGE

January 08, 2024

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| 1. Whether speaking/reasoned? | Yes/No |
| 2. Whether reportable? | Yes/No |