

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

CWP-2725 of 2024

Date of decision: 07.02.2024

Bhagwan Dass Singla

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. Sanjiv Gupta, Advocate,
for the petitioner.

Ms. Niharika Sharma, AAG, Punjab.

NAMIT KUMAR, J. (ORAL)

1. Petitioner has filed the instant petition claiming promotion to the post of Deputy General Manager (DGM) from the date his juniors have been promoted and accordingly fixing his pay and pensionary benefits along with arrears and interest @ 12% per annum.

2. During the course of hearing, this Court made a specific query to learned counsel for the petitioner regarding short comings/lack of proper pleadings in the petition, which would weigh in the mind of the Court to come to any conclusion in disposal of the petition, however, no satisfactory reply is forthcoming.

3. In the writ petition, a bald statement has been made that one of his junior, namely, Rajpal Singh has been promoted as Deputy General Manager. However, no date of promotion of the junior as DGM has been mentioned. Even service particulars of the petitioner have not been mentioned in the writ petition to the effect that when the

petitioner joined the service and what promotions the petitioner had gained while he was in service. However, in the legal notice dated 27.01.2023 (Annexure P-2) the service particulars of the petitioner have been mentioned to the effect that he joined as Secretary, Market Committee on 11.04.1975 and was further promoted to the post of Deputy District Mandi Officer on 21.12.1995; further promoted to the post of District Mandi Officer on 27.09.2003 and retired on attaining the age of superannuation on 31.08.2008. It has further been averred in the petition that no action has been taken by the respondents on the legal notice dated 27.01.2023 (Annexure P-2) and the subsequent representation dated 08.09.2023 (Annexure P-3).

4. A perusal of the paper-book shows that petitioner retired on 31.08.2008 and the present petition has been filed after about 16 years claiming promotion to the post of Deputy General Manager without giving any rule position and the grounds on the basis of which the relief is claimed in the petition except one thing that one Rajpal Singh, who was junior to him, was promoted in the year 2007.

5. This Court is rather surprised that how a petition like the present one can be presented in Court particularly obsessed with lack of complete pleadings which entails providing of clear and concise data which can be easily understood by all concerned, which amounts to wastage of the precious time of the Court and the present petition suffers from delay and laches as well as the petitioner retired on 31.08.2008 and filed the present petition after about 16 years. This Court was inclined to dismiss this petition with exemplary costs as it is

a necessary instrument which has to be deployed to weed out as well as to prevent the filing of such cases. At this stage, learned counsel for the petitioner submits that he may be permitted to withdraw the present petition.

6. Dismissed as withdrawn, subject to payment of costs of Rs.5,000/- to be deposited with the Punjab and Haryana High Court Bar Association, Chandigarh, within a period of one month from today.

07.02.2024
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No