

LPA-1691-2024 (O&M)

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

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LPA-1691-2024 (O&M)

Date of Decision: 10.09.2024

Ompati

....Appellant

Versus

Dakshin Haryana Bijli Vitran Nigam Ltd. and others ...Respondents

**CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present : Mr. R.S.Sangwan, Advocate,
for the appellant.

Mr. Sanjeev Kaushik, Addl. A.G., Haryana.

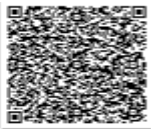
DEEPAK SIBAL, J. (ORAL)

The present intra court appeal has been filed to challenge therein the judgment dated 14.07.2023 passed by a learned Single Judge of this Court through which the appellant's writ petition has been dismissed on the ground of delay and laches.

A few basic facts may be noticed.

On 01.03.1977, the appellant's husband joined, on work charge basis, as a Driver in the respondent-Dakshin Haryana Bijli Vitran Nigam Ltd. (for short-Nigam) and on 31.12.1992, after attaining the age of superannuation, he retired from service. During his entire service, the nature of his employment was on work charge basis.

After 25 years from the date of retirement of her husband, relying on the instructions of the State of Haryana dated 06.08.1993 and 09.08.1994, the appellant petitioned this Court seeking therein regularization



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of her husband's services.

After examining the appellant's case, a learned Single Judge of this Court dismissed the appellant's petition on the ground of delay. Such dismissal has been challenged through the present intra court appeal.

After hearing learned counsel for the parties and going through the impugned judgment, we find that the learned Single Judge has rightly dismissed the appellant's petition on the ground of unexplained delay of 25 years on the appellant's part in knocking the doors of this Court especially when it is not disputed before us that in the year 1990/1991, the respondent-Nigam had given an option to regularize the services of work charge employees like the appellant's husband provided that after regularization of their services, they accept the date of their retirement to be 58 years, as in the case of regular employees and not 60 years, as in the case of work charge employees, which option was apparently not accepted by the appellant's husband as he continued to serve the respondent-Nigam and superannuated only after attaining the age of 60 years.

Dismissed.

(DEEPAK SIBAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

10.09.2024
adhikari

Whether speaking/non-speaking	:	Yes/No
Whether reportable	:	Yes/No