



LPA-2381-2024 (O&M)

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

Sr. No.110

LPA-2381-2024 (O&M)

Date of decision: 11.12.2024

Kuldeep Sharma

....Appellant

Versus

State of Haryana and others

....Respondents

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

Present: Mr. Chandra Sekhar, Advocate
for the appellant.

* * *

DEEPAK SIBAL, J. (Oral)

1. There is an unexplained delay of 264 days in filing and 1010 days in re-filing of the appeal but on the insistence of learned counsel for the appellant, we have heard the present appeal on merits.

2. The instant intra court appeal is directed against the judgment dated 18.01.2021 passed by a learned Single Judge of this Court dismissing the appellant's writ petition on the ground of delay and latches.

2. A few facts may be noticed.

3. On 19.07.1985 w.e.f. 20.07.1985, the appellant's services were regularized as a Warder in the Haryana Police. Thereafter, he applied, through proper channel and on 09.11.1995 was selected as a Junior Basic Training Teacher (for short – JBT Teacher). In the year 2002, he petitioned this Court seeking therein the counting of the service rendered by him in the police department alongwith his service rendered by him as a JBT Teacher



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for the purpose for grant of service benefits. Such petition was withdrawn by him with liberty to make a representation to the authorities seeking the relief(s) claimed by him through his petition. In terms of the liberty granted, he made the afore representation on 07.06.2002. Thereafter, he kept quite for 18 years and again knocked the doors of this Court in the year 2020 for the same relief as had been claimed by him through his earlier petition. Through the impugned judgment the learned Single Judge has dismissed the appellant's petition on the ground of delay and latches.

4. After hearing learned counsel for the appellant and examining the record, we find that no worthwhile explanation has been offered by the appellant as to why he slept over his claim for 18 years from 2002 till 2020. Therefore, there is no error in the impugned judgment dismissing his petition on the ground of delay and latches.

5. In the light of the above, the instant appeal is dismissed on the ground of delay of 264 days in its filing and 1010 days in its re-filing as also on merits.

6. All pending miscellaneous application(s), if any, also stand disposed of.

(DEEPAK SIBAL)
JUDGE

(DEEPAK GUPTA)
JUDGE

December 11, 2024
Jyoti 1

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No