



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(105)

LPA-2707-2024 (O&M)

Decided on : 05.11.2024

Humayun Kabir

.....Appellant(s)

Versus

State of Haryana & others

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MR.JUSTICE DEEPAK MANCHANDA**

Present: Mr.Maninder Jit Singh, Advocate for
Mohammad Arshad, Advocates for the appellant.

G.S. Sandhawalia, J.(Oral)

1. Consideration in the present appeal, which is barred by 178 days, is to the judgment dated 01.04.2024 passed in CWP-27208-2023 titled *Humayun Kabir Vs. State of Haryana & others*.

2. The application for condonation of delay is totally bereft of any sufficient ground to condone the delay for interfering in the judgment impugned vide which the writ petition had been dismissed. The averments are that the appellant was unaware of the limitation period and the ground sought to be made out is that there was no fund with the appellant and thus, the delay, as such, is sought to be condoned. The application is self-contradictory as in one hand, the appellant is not aware of the limitation period and on the other hand, he could not arrange for the funds. Therefore, we do not propose to condone the delay, as such.

3. Even otherwise, we feel that it is a case of a person having no *locus standi* seeking to challenge the grant of extension of service to private-respondent and to the action of the authorities on the basis of which it is

apparent that the writ petition is not based on any cogent reason. It was, in such circumstances, the Learned Single Judge was well justified in dismissing the writ petition on the ground that there was nothing to show that the private-respondent had any doubtful integrity and neither there was any policy on the basis of which the appellant could claim the relief of issuance of direction to the authorities to remove the said private-respondent from service.

4. A perusal of the writ petition would also go on to show that the appellant and the private-respondent were colleagues and therefore, the complaint was filed by the appellant against the private-respondent. Rather a perusal of the ACRs (Annexure P-6) of the private-respondent would go on to show that he had 'Very Good' remarks in his ACRs and therefore, it was, in such circumstances, apparently the extension of service had been granted to the private-respondent. The present appellant is, thus, a frustrated colleague who is aggrieved against the action of the State, for which, we do not feel that the writ petition was maintainable in the present facts and circumstances.

5. Accordingly, in view of the above discussion, the application for condoning the delay in filing the appeal as well as the main appeal, are hereby dismissed. All pending application(s) also stand disposed of.

(G.S. SANDHAWALIA)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

05.11.2024
sailesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No