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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 17297/2024**
RAMASHISH KUSHWAHAPetitioner
Through: **Mr. Amrendra Kumar Choubey,**
Adv.

versus
UNION OF INDIA & ORS.Respondents
Through: **Mr. Jatin Singh, Mr. Keshav**
Sehgal, Mr. Shivam Gaur, Mr.
Aryan Kumar, Advs. with Mr.
Hemendra Singh, DC Law.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

% **16.12.2024**
CM APPL. 73629/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. This petition has been filed by the petitioner challenging the Order dated 08.05.2002 by which, pursuant to a trial by the Summary Security Force Court, the petitioner was dismissed from service. The petition has been filed only on or around November, 2024, that is with a delay of more than 22 years.
4. In this regard, we may draw reference to the Judgment of the Supreme Court in *Chennai Metropolitan Water Supply & Sewerage Board v. T.T. Murali Babu*, (2014) 4 SCC 108 wherein the Court has held as under:-



“16. Thus, the doctrine of delay and laches should not be lightly brushed aside. A writ court is required to weigh the explanation offered and the acceptability of the same. The court should bear in mind that it is exercising an extraordinary and equitable jurisdiction. As a constitutional court it has a duty to protect the rights of the citizens but simultaneously it is to keep itself alive to the primary principle that when an aggrieved person, without adequate reason, approaches the court at his own leisure or pleasure, the court would be under legal obligation to scrutinise whether the lis at a belated stage should be entertained or not. Be it noted, delay comes in the way of equity. In certain circumstances delay and laches may not be fatal but in most circumstances inordinate delay would only invite disaster for the litigant who knocks at the doors of the court. Delay reflects inactivity and inaction on the part of a litigant — a litigant who has forgotten the basic norms, namely, “procrastination is the greatest thief of time” and second, law does not permit one to sleep and rise like a phoenix. Delay does bring in hazard and causes injury to the lis.”

5. It emerges from the aforesaid judgment, that the law does not permit inaction on the part of a litigant that leads to such colossal delay, as in the present case.
6. In view of the above, only on the ground of delay and laches, we refuse to entertain the present petition.
7. The same is, accordingly, dismissed.

NAVIN CHAWLA, J

SHALINDER KAUR, J

DECEMBER 16, 2024

SU/B/as

Click here to check corrigendum, if any