

W.P.C.T. 37 of 2025

Ashit Ghose @ Ghosh
Vs.
Union of India & Ors.

Mr. Suryasarathi Basu

...for the Petitioner

Mr. Avinash Kankani

...for the Respondents

1. Affidavit of service filed in Court today is taken on record.
2. The present case arises out of a claim made by the applicant regarding a selection process of the year 2007 for appointment of Driver Engine Static. The recruitment process concluded way back in the year 2008 itself and the remaining vacancies were also surrendered in the year 2009. The present petitioner awoke from his deep slumber to seek relief before the Central Administrative Tribunal, Calcutta Bench (hereinafter referred to as 'the C.A.T.') in respect of the recruitment process of the year 2007, by filing an application in the year 2018, i.e. about 11 (eleven) years later. The C.A.T. has rejected the claim by recording the fact that the vacancies were surrendered long back in the year 2009 itself. It is this order of the C.A.T. dated 14.05.2018 passed in O.A. No.457 of 2018 which is impugned in the present writ proceedings, instituted in the year 2025. The applicant

approached the C.A.T. after a delay of 11 (eleven) years. The order of the C.A.T. has been assailed before this Court after delay of 07 (seven) years. The claim is with respect to a recruitment process which concluded way back in the year 2009 itself.

3. In view of these undisputed facts, we find that the claim raised in the present proceeding is hopelessly barred by delay and laches. The issue by now is settled by several decisions of the Apex Court, including decision in the case of ***Union of India Vs. N Murugesan*** reported in **(2022) 2 SCC 25** that the writ jurisdiction under Article 226 of the Constitution of India is not for indolent. The issue of delay and laches, in respect of relief of the nature claimed in the present proceedings cannot be brushed aside likely.
4. We, therefore, consider the claim, raised in the present writ proceedings to be hopelessly barred by delay and laches.
5. We find no reason to interfere with the order of the C.A.T. dated 14.05.2018 passed in O.A. No.457 of 2018.
6. The Writ Petition is dismissed.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)