



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

CWP-6161-2025

Date of Decision: 08.04.2025

Kaliram

.....Petitioner(s)

Versus

State of Haryana and others

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Nafeesh Ahmad, Advocate,
for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226 and 227 of the Constitution of India is seeking setting aside of order dated 08.08.2024 (Annexure P-12) whereby respondent has dismissed his appeal.

2. The petitioner joined Haryana Home Guard on 07.01.2010. The Members of Home Guard are volunteers. He was not allowed to continue beyond 07.10.2011 meaning thereby petitioner worked as Home Guard for 1-1/2 years. He approached this Court in 2022 by way of CWP-12559-2022 which was disposed of vide order dated 02.08.2022 with a direction to respondent to decide his claim within period of 2 months from the date of receipt of certified copy of the order. The respondent by order dated 01.09.2022 rejected his claim. He preferred CWP-26557-2022 before this Court which was dismissed with liberty to



file appeal before Appellate Authority. He preferred appeal before Appellate Authority which has dismissed his appeal on the ground of delay and laches. The Appellate Authority has held that appeal could be filed within 30 days whereas he was relieved 10 years back.

3. From the perusal of record, it is evident that petitioner’s services were not availed beyond October’ 2011 and he approached this Court in 2022 means after 11 years. The Appellate Authority has dismissed his appeal on the ground that he was relieved 10 years back whereas appeal was required to be filed within 30 days. The Authority passed speaking order on 01.09.2022 in compliance of directions of this Court and thereafter appeal was filed. Thus, petitioner’s appeal may not be considered as barred by limitation, however, the factum that petitioner was working as volunteer and was relieved in October’ 2011 cannot be ignored. As period of more than 14 years from the date of his non-engagement has passed away, this Court does not find it appropriate to compel the respondent to avail services of petitioner which are voluntary in nature.

4. In the wake of above discussion and findings, instant petition stands dismissed.

5. The dismissal of instant petition would not inhibit respondent to avail services of petitioner at any point of time, if required.

08.04.2025	(JAGMOHAN BANSAL)
shivani	JUDGE
Whether reasoned/speaking	Yes/No
Whether reportable	Yes/No