



2025:DHC:679-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of decision: 03.02.2025

+ W.P.(C) 1283/2025 & CM APPL. 6331-32/2025
UNION OF INDIA & ORS.Petitioners

Through: Mr.R. Venkat Prabhat, SPC
with Mr.Abhinav M. Goel,
Ms.Kamna Behrani, Mr.Ansh
Kalra, Advs. along with Maj.
Anish Muralidhar, Indian
Army.

versus

EK NK BHUPAL SINGHRespondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (Oral)

1. By the present petition, the petitioner challenges the Order dated 02.03.2020 passed by the learned Armed Forces Tribunal, Principal Bench, New Delhi, in O.A. No. 89/2017, titled ***Ex NK Bhupal Singh v. Union of India & Ors.***,

2. The present petition has been filed only on 30.01.2025, that is, with a delay of almost 5 years.

3. 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



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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.”

4. From the above, it would be apparent that a petition filed with delay and laches may not be entertained by the Court as it may cause inequity to the opposite side.
5. In view of the above, only on the ground of delay and laches, we refuse to entertain the present petition.
6. The same is, accordingly, dismissed.

NAVIN CHAWLA, J

SHALINDER KAUR, J

FEBRUARY 3, 2025/rv/DG

[Click here to check corrigendum, if any](#)