



LPA-632-2026 (O&M)

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

**LPA-632-2026 (O&M)
Date of decision: 08.04.2026**

URVESH GOEL

....Appellant

Versus

STATE OF HARYANA AND OTHERS

...Respondents

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Neeraj Jain, Advocate
for the appellant.

ASHWANI KUMAR MISHRA, J. (Oral)

1. This appeal arises out of an order passed by the learned Single Judge dismissing the writ petition vide judgment and order dated 27.01.2026 primarily on the ground of laches.

2. It transpires that the appellant was employed with the respondent-Board and he retired on 30.06.2012 from the post of Deputy Superintendent. He was paid gratuity and other benefits admissible to him.

3. The appellant was not entitled to any pension in terms of the applicable Rules. It has been noticed by the learned Single Judge that prior to 1989, the employees of the respondent-Punjab State Agricultural Marketing Board and Market Committees were governed by the provisions of the Provident Fund and Gratuity Rules made for them of the year 1965. Thereafter, the Haryana State Marketing Board and Market Committees Employees Pension, Provident Fund and Gratuity Rules, 1989 (for short '1989 Rules') got enacted. On commencement of the 1989 Rules, an option was given to the employees to



opt for pension. It is admitted that such option was available to the appellant also. Undisputedly, the appellant never exercised such option to claim pension. It transpires that another employee namely Om Parkash filed a suit on his retirement in the year 2012, which ultimately came to be disposed of by this Court in RSA-2454-2013 vide judgment and order dated 07.02.2023, extending the option to the appellant-Om Parkash to opt for pension. It is thereafter that a representation has been made by the appellant and the writ petition came to be filed by him in the year 2026. The learned Single Judge has dismissed the writ petition by stating that the right to opt for pension was available to the appellant under the applicable statute of 1989, which option he failed to avail. The appellant retired in the year 2012. It is after 13 years of his retirement that a claim has been set up before this Court for exercising option to opt for pension. Such claim has been rejected relying upon the observations made by the Supreme Court in *Chairman/Managing Director, U.P. Power Corporation Limited and Others vs. Ram Gopal (2021) 13 SCC 225*, wherein it was held as under:-

“16. Whilst it is true that limitation does not strictly apply to proceedings under Articles 32 or 226 of the Constitution of India, nevertheless, such rights cannot be enforced after an unreasonable lapse of time. Consideration of unexplained delays and inordinate laches would always be relevant in writ actions, and writ courts naturally ought to be reluctant in exercising their discretionary jurisdiction to protect those who have slept over wrongs and allowed illegalities to fester. Fence-sitters cannot be allowed to barge into courts and cry for their rights at their convenience, and vigilant citizens ought not to be treated alike with mere opportunists. On multiple occasions, it has been restated that there are implicit limitations of time within which writ remedies can be enforced. In *SS Balu v. State of Kerala*, this Court observed thus:

“17. It is also well-settled principle of law that “delay defeats equity”. ...It is now a trite law that where the writ petitioner approaches the



High Court after a long delay, reliefs prayed for may be denied to them on the ground of delay and laches irrespective of the fact that they are similarly situated to the other candidates who obtain the benefit of the judgment.”

(emphasis supplied)

4. Reliance is also placed upon the judgment of Supreme Court in *Mrinmoy Maity vs. Chhanda Koley and others, 2024 AIR SC 2717*, which is referred to in the judgment of the learned Single Judge.
5. Except to state that the appellant intended to opt for the pension scheme, no other plausible explanation has been placed on record for exercising option to opt for the pension scheme. The records otherwise reveal that the appellant could exercise the right of option within 3 months of enforcement of the 1989 Rules. Subsequent attempt made by the appellant was rejected under orders of the authority dated 02.08.2006. This order has attained finality. While filing the writ petition in the year 2026 also, rejection of option was not assailed.
6. In such circumstances, no exception can be taken to the learned Single Judge in refusing to entertain the writ petition. Appeal fails and is accordingly dismissed.
7. Pending applications, if any, shall stand disposed of accordingly.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

APRIL 08, 2026
mohit goyal

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No