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

% ***Date of Decision: October 9th, 2026***

\# **CNR No. DLHC010001312021**

\+ **W.P.(C) 11821/2023 & CM APPL. 46162/2023, CM APPL. 42737/2024, CM APPL. 70644/2026**

MONOHER SINGH BAKSHI .....Petitioner

Through: Ms. Archna Midha, Mr. Ashok Kumar Singh, Mr. Lakhbir Singh & Mr. Ranjit Kumar, Advs.

versus

UNION OF INDIA & ORS. .....Respondents

Through: Mr. Kavindra Kumar Gill, SPC for UOI
Major Rahul Kumar Pandey, Army & Major Himanshu Tyagi, Army

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

AMIT MAHAJAN, J. *(Oral)*

1. By the present petition, the petitioner seeks the following prayers:

> *"(i) issue a writ in the nature of mandamus, directions or any order directing the respondents to make the payment of anybalance legal fees and expenses as expeditiously as possible withinterest at the rate of 18% per annum from the date of payments due till the realization.*
> *(ii) Issue a writ in the Nature of certiorari for setting aside the impugned order dated 11.03.2021; and/or*
> *(iii) Pass any such other or further orders as this Hon'ble Court may deem fit and proper, in the facts and circmnstances of the present case petitioner."*

2. Succinctly stated, the petitioner is an advocate who claims to have rendered legal services to the Ministry of Defence at its Battalion

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Headquarters in Jammu and Kashmir during the period from 1989 to 1993, at an agreed professional fee of ₹1,600 per case per day, besides allied expenses.

3. It is the case of the petitioner that despite submitting bills and making repeated representations, the respondents failed to release his professional fees in full. The petitioner contends that the respondents, *vide* communication dated 11.03.2021, incorrectly claimed that the matter had been settled and the pending dues had been paid.

4. At the outset, it is evident from the petitioner's own pleadings that the claim pertains to the period between 1989 and 1993, whereas the petitioner approached the Court for the first time in the year 2021, after a lapse of nearly three decades.

5. In this regard, this Court would draw reference to the Judgment of the Hon'ble Apex Court in ***Chennai Metropolitan Water Supply & Sewerage Board v. T.T. Murali Babu*** **: (2014) 4 SCC 108**, wherein it was 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."*

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6. From the foregoing, it is evident that while no statutory limitation period is prescribed for instituting a writ petition under Article 226 of the Constitution, undue delay and laches may nonetheless disentitle a litigant from the relief sought.

7. The claims raised by the petitioner have become stale, and the mere fact that he continued to submit representations to the respondents seeking release of the alleged outstanding dues would neither revive such stale claims nor furnish a fresh cause of action so as to justify the inordinate delay in invoking the writ jurisdiction of this Court.

8. In the present case, this Court, having regard to the fact that the petitioner himself is an advocate, had initially issued notice to the respondents and called upon them to examine their records in respect of the petitioner's claim. However, the respondents have submitted that no amount remains outstanding and that the petitioner has failed to furnish the requisite bills and supporting documents necessary to substantiate his claim.

9. Thus, considering the totality of the facts and circumstances of the case, this Court finds no reason to exercise its extraordinary and discretionary writ jurisdiction under Article 226 of the Constitution.

10. Pending application(s), if any, stand disposed of.

AMIT MAHAJAN, J

OCTOBER 9, 2026
"SS"

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