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

+ **W.P.(C) 2522/2023**

DHARMENDRA SINGH

.....Petitioner

Through: Mr. Ajit Singh, Mr. Satyendra
Singh & Ms. Yashvi Sood,
Advs.

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: Mr. Piyush Beriwal & Ms.
Ruchita Srivastava, Advs for R-
1 to R-4.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **12.05.2026**

1. The present Petition has been filed by the Petitioner in the year 2023 to challenge the correctness of the Order dated 19.04.2010 passed by the competent authority, whereby the Petitioner was dismissed from service on account of unauthorized absence.
2. The Petitioner was sanctioned leave from 11.05.2009 to 09.07.2009 with five days journey period. This is to say that the Petitioner was permitted to report back by 14.07.2009. However, the Petitioner never reported back.
3. The Petitioner was thereafter given as many as three Show Cause Notices. The first Show Cause Notice was issued on 13.10.2009; the second Show Cause Notice was issued on 23.01.2010 and ultimately, the third Show Cause Notice was issued on 17.03.2010. The Petitioner never submitted any reply to the said Show Cause Notices. Ultimately, the Petitioner was dismissed from service



on 19.04.2010. Post dismissal from service, the Petitioner went into deep slumber.

4. The Petitioner woke up from his slumber only in the year 2019, when he filed a Writ Petition in the Patna High Court thereby challenging his dismissal from service. However, the said Writ Petition was withdrawn in the year 2022. Thereafter, the Petitioner filed the present Writ Petition in the year 2023.

5. Learned counsel representing the Petitioner, while referring to the medical records of the Petitioner, submits that the Petitioner was suffering from *Toxio Depression with weakness* and was under treatment.

6. On a Court query, learned counsel representing the Petitioner submits that the Petitioner remained as an indoor patient for some time in the year 2009 – 2010 but was discharged on 21.05.2010. Thereafter, the Petitioner was admitted as an indoor patient on 06.11.2017 till 08.12.2017.

7. It is evident that the Petitioner has filed the present Writ Petition after a colossal delay of nearly 13 years. Even if the three-year period spent in pursuing the matter before Patna High Court is excluded, yet the delay remains to be nearly ten years.

8. In view of the aforesaid, the present Writ Petition is dismissed solely on the ground of delay and laches.

ANIL KSHETARPAL, J

AMIT MAHAJAN, J

MAY 12, 2026
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