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

+ **W.P.(C) 17926/2025**

PRODIP KUMAR MANDAL AND ORS

.....Petitioners

Through: Mr. Bijender Singh, Mr. Karan Verma, Mr. Ashish Singh and Mr. Parveen Kumar, Advocates.

versus

AIRPORTS AUTHORITY OF INDIA AND ORS.

.....Respondents

Through: Mr. Digvijay Rai, SC with Mr. Archit Mishra, Advocate with Mr. Deepak Tomar, DSM (Law), Ms. Tanya Rohilla, Manager (Law) and Mr. Jayesh Bhargava, JE (Law).
Mr. Chetanya Puri, SPC with Mr. Rishab Jain, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

16.04.2026

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1. The Petitioners, who were serving as Assistant Manager (Finance) under Respondent No. 1/Airports Authority of India, have approached this Court seeking quashing of the impugned common seniority lists issued on 1st December, 2006 and in 2014-15 (as on 1st February, 2005), as well as consequential relief of retrospective promotion with effect from 30th June, 2003. The challenge also extends to a series of orders culminating in the rejection of the Petitioners' representations by communication dated 5th



June, 2023.

2. At the outset, noticing the inordinate delay on the part of the Petitioners in approaching this Court, a query was put to counsel for the Petitioners to justify such delay. In response, he submitted that the Petitioners had been pursuing their grievances with the Respondents by way of multiple representations, which were considered from time to time, giving rise to a *bona fide* expectation that the issue would be resolved administratively. In this context, reliance is placed on the latest decision on their representation dated 13th April, 2023, whereby their request for rectification of the seniority list along with consequential benefits was declined by Respondent No. 1 *vide* impugned communication dated 5th June, 2023.

3. In the opinion of the Court, the rejection of representations cannot furnish a basis to revive or extend the cause of action. The primary question that arises is whether a writ petition filed in the year 2025 can be entertained to assail a seniority position crystallised as far back as in 2006, after an inordinate delay of nearly two decades. This Court is of the considered view that such delay cannot be overlooked.

4. It is well settled that settled seniority positions ought not to be unsettled after a long lapse of time.¹ The doctrine of delay and laches applies with greater rigour in matters pertaining to seniority and promotion, as any interference at a belated stage is likely to disrupt the vested rights regarding seniority, rank and promotions, accrued to third parties who, in the interregnum, have progressed in service.² The Supreme Court, in *Shiba*

¹ Malcom Lawrence Cecil D'Souza v. Union of India, (1976) 1 SCC 599.

² R.S. Makashi v. I.M. Menon, (1982) 1 SCC 379.



Shankar Mohapatra and Others v. State of Orissa and Others,³ has observed that once a seniority list has remained in existence for a reasonable period, a challenge thereto ought not to be entertained. Referring to its earlier decision in *K.R. Mudgal v. R.P. Singh*,⁴ the Court held that a seniority list which remains unchallenged for a period of 3-4 years should ordinarily not be disturbed. Thus, the said period is considered reasonable for assailing seniority, and any challenge beyond the same must be accompanied by a cogent and satisfactory explanation for the delay and laches in approaching the Court.

5. While the Petitioners have sought to attribute the delay to administrative inaction or the expectation of a resolution and has relied upon filing of representations to explain and justify this belated petition, it is trite that submissions of representations and the decision thereon does not furnish or advance a fresh cause of action.⁵ It is a settled principle that repeated or belated representations, and decisions taken thereon, do not extend limitation nor revive a stale cause of action.⁶ Consequently, the Petitioners cannot rely upon subsequent correspondence to overcome the inordinate delay in approaching this Court.

6. In view of the foregoing, the Court finds no reasonable to exercise its discretionary jurisdiction under Article 226 of the Constitution of India, in light of the gross delay and laches on the part of the Petitioners. All other reliefs sought in the petition are consequential in nature and cannot survive independently once the primary challenge to the seniority lists is held to be untenable.

³ (2010) 12 SCC 471.

⁴ (1986) 4 SCC 531.

⁵ State of Uttaranchal v. Shiv Charan Singh Bhandari, (2013) 12 SCC 179.



7. For the foregoing reasons, the writ petition is dismissed.

SANJEEV NARULA, J

APRIL 16, 2026

as

⁶ State of T.N. v. Seshachalam, (2007) 10 SCC 137.