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IN THE HON'BLE HIGH COURT OF JUDICATURE AT CHHATTISGARH
AT BILASPUR.

Petitioner

B.R. Potdar,

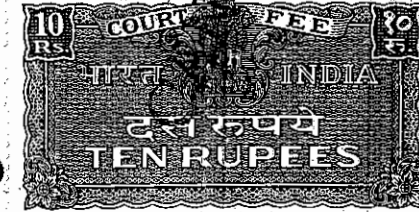
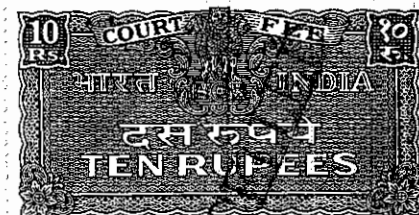
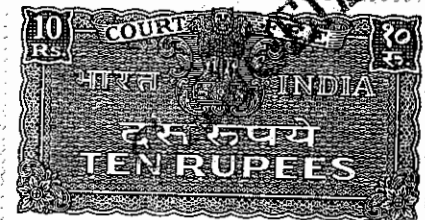
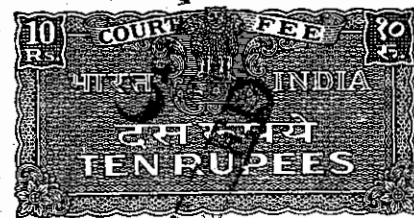
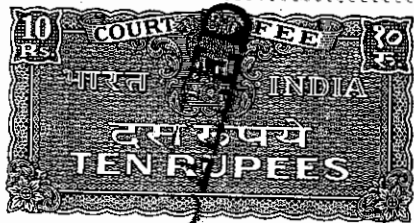
Chief Telecom Supervisor,
under the S.D.E. (AT & PLG),
O/O The G.M.T.D. Durg.



VERSUS.

Respondents -

- (1) The Union of India,
Through the Secretary of Govt. of India,
New Delhi.
- (2) The Chairman,
Bharat Sanchar Nigam,
New Delhi.
- (3) The C.G.M.T. Bhopal;
M.P. Telecom Circle,
(Bharat Sanchar Nigam)
- (4) The C.G.M.T. Raipur;
Chhattisgarh Telecom Circle
(Bharat Sanchar Nigam)
- (5) The G.M.T.D. Durg
(Bharat Sanchar Nigam).



WRIT PETITION UNDER SECTION 226/227 OF THE
CONSTITUTION OF INDIA.

आदेश पत्रक

मामला क्रमांक W.P. No.592/2001. सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p><u>28/04/2001 :-</u></p> <p>Mr. N.L. Shrivastava, learned counsel for the petitioner.</p> <p>Heard.</p> <p>On 19th November, 1968 an order was issued by the Divisional Engineer, Telegraphs, Raipur Division, Raipur. The said order is as follows :-</p> <p>Shri B.R. Potdar, Telephone Operator, Durg was absent from duty for ten days from 6/9/1968 to 15/8/1968 the period of absence is hereby treated as "Dies Non". The official is not entitled to pay and allowance.))</p> <p>Consequently it is stated by the learned counsel for the petitioner that for the same cause of action another order for stopage of one increment was issued on 6th January, 1969. It is contended that the petitioner was not given any opportunity of being heard before the said impugned orders were issued in violation of the principles of natural justice. The contention of the writ petitioner is that though several representations have been made before the competent authority, or such representations have fallen on deaf ear of the competent authorities, the writ petitioner is now on</p>	

पीछे देखिये

आदेश पत्रक (पुर्वानुबद्ध)

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित (2)	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p>the verge of retirement. The cause of action arose in 1968. It is 33 years since then there is inordinate delay on the part of the writ petitioner ⁱⁿ to approaching this Court to exercise extra ordinary jurisdiction ^{enjoyed} enjoying under Article 226 of the Constitution of India. Even assuming that principles of natural justice have been violated in passing the impugned order, such a delay of 33 years in taking proceeding before an appropriate forum would clearly defeat equity. According to the learned counsel for the petitioner since last representation was ^{made} made on 5th September, 2000, it cannot be said that the writ petitioner has approachd this Court very belatedly. As I have stated above ^{that} the cause of action arose in 1968, the fact that the writ petitioner has made several representations would not be of any assistance to him as far as the inordinate delay in approaching this Court to accept such a very very stale claim.</p> <p>Learned counsel for the petitioner further submits that, in fact, the writ petitioner is aggrieved by the several impugned orders passed on the different occasions and for different reasons and the last impugned order was issued in December, 1977. In my opinion, it would not be a proper exercise of power by this Court to entertain the claims of the writ petitioner at this belated stage. In the result, the petition is dismissed.</p>	
GRPRJ—FS/311—1/2001—50,000.		sd/- Chief Justice