

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR.

ORDER

S.B. CIVIL WRIT PETITION No.8950/2005.

: :

Deen Dayal Parashar Vs. State of Rajasthan & Ors.

: :

Date of Order 28.11.2008

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Mr.D.C.Gupta for the petitioner.

Mr.Hemant Gupta, Addl.Govt.Counsel for the State.

Heard learned counsel for the parties.

This writ petition has been filed with grievance that action of the respondents in promoting one Naveen Chand Sharma, who was junior to the petitioner, vide order dated 29.9.1993 on the post of Civil Supervisor, be declared illegal and instead respondents be directed to promote the petitioner with all consequential benefits.

Learned counsel for the petitioner has argued that the petitioner represented various authorities of his department from time to time drawing their attention towards injustice caused to him. It was argued that had the petitioner been promoted on the aforesaid post, he would have been entitled to consequential benefits.

Learned counsel for the respondents has opposed the writ petition and argued that the services of the petitioner was transferred to Panchayati Raj Department long ago and that in fact the petitioner was retired from that department upon attaining the age of superannuation on 31.1.2003. The writ petition has been filed with delay and laches. It was argued that Shri Naveen Chand Shrama also transferred to Panchyati Raj Department long ago and record of both the employees has been sent to Panchayati Raj Department. Learned counsel submitted that Shri Naveen Chand Sharma has not been impleaded as a party respondent.

Learned counsel for the petitioner rejoined and submitted that the petitioner did not remain silent all this time and he kept perusing the matter by way of number of representations. The respondents did not accept his prayer and therefore he cannot be blamed for delay.

The facts clearly show that the petitioner has filed this writ petition almost after two years after the date of retirement and has sought to rake up such an old issue of 1993. Such a litigant who is not vigilant about his right cannot be provided any remedy by the Court of law.

In the result, this writ petition is dismissed for delay and laches.

(MOHAMMAD RAFIQ)J.

A.Arora/-
Item No.55.