

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.3491 of 2017

Date of Decision.28.02.2017

Baljit Singh and another

.....Petitioners

Vs

State of Haryana and others

.....Respondents

Present: Mr. Rajbir Singh Arya, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J. (ORAL)

The challenge in the present writ petition is to the order of 2008. There is reference in paragraph 12 of the writ petition regarding challenge to the order in the writ petition bearing No.12247 of 2009 on the premise that the same was dismissed as withdrawn on 22.3.2011. A copy of the order, though was not attached with the paper book but had been handed over to this Court during the course of hearing. The order dated 22.03.2011 reads thus:

“The pleadings in the petition are defective. There is no justification. Learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to file afresh.

Allowed.

Dismissed as withdrawn.

Fresh petition would be entertained only subject to deposit of ₹5000/- by the petitioners with Haryana State Legal Services Authority.”

The pleading in the writ petition are conspicuously wanting with regard to filing of the writ petition afresh after a gap of six years, thus, the party cannot be permitted to challenge the order at this own convenience

and whim.

The writ petition is hopelessly belated by doctrine akin to delay and latches.

I cannot remain oblivious of the fact that even the costs imposed indicated in the order extracted above has been deposited only on 16.02.2017. Mere depositing of the costs will not condone the delay and give a fresh cause of action to assail the order of 2008 in 2017.

The writ petition is dismissed.

(AMIT RAWAL)
JUDGE

February 28, 2017
Pankaj*

Whether speaking/reasoned Yes

Whether reportable No