



251 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

LPA-665-2025 (O&M)

Date of Decision: 25.09.2025

B.S. JAIN

... APPELLANT

VS.

STATE OF HARYANA AND ANR

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR

Present: Mr. Dhruv Walia, Advocate (Legal Aid Counsel)
for the appellant.

Mr. Pankaj Mulwani, Sr. DAG, Haryana.

ASHWANI KUMAR MISHRA, J. (ORAL)

The claim of the appellant for salary of the period 26.03.2004 to 28.05.2005, raised for the first time in the year 2021, has been rejected by the learned Single Judge by observing as under:-

“It is apparent on record that the petitioner for the first time agitated his claim for salary for the period he was assigned current duty charge by way of a representation dated 08.03.2021, Annexure P-3. The claim was ‘filed’ by the respondents vide letter dated 16.06.2022, and the same was conveyed to the petitioner vide impugned memo dated 30.06.2022. Thereafter, the petitioner approached this Court by filing Civil Writ Petition No.2374 of 2024, which was disposed of directing the respondents to take a decision on the representation dated 08.03.2021, which resulted in passing of impugned order dated 02.05.2024.

Evidently, the claim for salary for the period the petitioner was assigned current duty charge as Director was raised for the first time in March 2021. He was in slumber for over fifteen years so far as the claim is concerned. There is no explanation for the inordinate delay, except that he has been making representations for a long time which does not give a fresh cause of action to him. Accordingly, there is no escape from concluding that the petition suffers from inordinate delay and laches, which obviates the need to look into the merits of the case.”

The only ground taken to assail the judgment of the learned Single Judge is that a previous representation was made on 01.10.2004.

Even if that was so, and such representation was not considered, then, a cause of action had arisen to the petitioner to take appropriate recourse sometime in the year 2005. Filing of the writ petition after 20 years, under such circumstances, is clearly barred by unexplained latches.

We are, therefore, in agreement with the learned Single Judge for dismissing the writ petition on the ground of latches.

The appeal lacks merit and is dismissed.

Pending applications, if any, also stand disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

25.09.2025

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No