
(2018) 07 CHH CK 0203
In the Chhattisgarh High Court
Case No : Writ Appeal No. 563 Of 2018

A.K. Agrawal

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

Date of Decision : 13-07-2018

Acts Referred:

Citation : (2018) 07 CHH CK 0203

Hon'ble Judges : Ajay Kumar Tripathi, CJ;Pritinker Diwaker, J

Bench : Division Bench

Advocate : Roop Naik, U.N.S. Deo, Ashish Shrivastava

Final Decision : Dismissed

Judgement

Ajay Kumar Tripathi, CJ

1. Heard on I.A. No. 01 of 2018, application for condonation of delay of 55 days in filing the appeal.
2. We are satisfied that sufficient cause has been indicated in the application to condone the delay. Delay is condoned.
3. Also heard counsel for the Appellant, counsels for the State as well as Public Service Commission.
4. Only after the Appellant superannuated in the year 2016 that he filed a writ application in the year 2018 making grievances that his case for grant of promotion to the State Administrative Service (Deputy Collector) Junior Grade should have been considered w.e.f. the year 2000.
5. The learned Single Judge, taking note of the claim as well as the grievances, has rightly dismissed the writ application on the ground that after more than a decade and a half such grievances can not be allowed to be raised especially since the Appellant was in service all along and he knew his

status as to where he was placed in service vis-a-vis his juniors if he had a claim at all.

6. Dismissal of the writ application, therefore, on the ground of extraordinary delay, laches as well as not allowing a leeway to unsettle settled things

cannot be said to be an erroneous view taken by the writ Court.

7. Counsel for the Appellant submits that he should be permitted to assail the gradation list which has been published some time in the year 2016

before his superannuation to which the response of the Court is that such a prayer was not made in the writ application and we fail to understand as to

why such indulgence be given which will amount to reopening the whole issue denovo, which is not permissible.

8. The appeal has no merit. It is dismissed.