

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 2947 of 2022

Decided on: 30.05.2026

Tara Chand and another

.....Petitioners

Versus

State of Himachal Pradesh and others

... Respondents

Coram

Hon'ble Mr. Justice Ajay Mohan Goel, Judge.

Whether approved for reporting?¹

For the petitioners : Mr. Jai Dev Thakur, Advocate.

For the respondents : Mr. B.C. Verma, Additional Advocate
General for respondents No. 1 to 3.

Ajay Mohan Goel, Judge *[Oral]*

A perusal of the petition demonstrates that the petitioners herein have assailed the order dated 15.06.2016 (Annexure P10), which was passed by the Authority in compliance to the order passed by erstwhile learned Himachal Pradesh Administrative Tribunal in OA(D) No. 5 of 2016, on 06.04.2016, preferred by the present petitioners. This order passed by the Authority in the month of June, 2016, has been assailed by the petitioners by way present petition in the year 2022.

2. On a query put to learned Counsel for the petitioners as to how does the petitioners explain delay in approaching the Court, learned Counsel by referring to Annexure P-13 submitted that the petitioners again approached the Authority for amendment of the Recruitment and Promotion Rules and their request has been

¹ *Whether reporters of the local papers may be allowed to see the judgment?*

negatived in the year 2021.

3. This Court is of the considered view that when in terms of the direction passed by the erstwhile Himachal Pradesh Administrative Tribunal, the Authority rejected the representation of the petitioner on 15.06.2016, then the petitioners should have had assailed the same within the period of limitation of one year as at the relevant time, the Himachal Pradesh Administrative Tribunal was functioning in the State. Having failed to assail the same within the statutory period or within some reasonable time thereafter either before the erstwhile Himachal Pradesh Administrative Tribunal till the time same was functioning or before this Court in exercise of writ jurisdiction under Article 226 of the Constitution of India, the petitioners cannot be allowed to assail the order passed by the Authority in the year 2016 belatedly in the garb of Annexure P-13 because once the Authority had dismissed the representation in the year 2016, the option before the petitioners was to have had assailed the same before the appropriate Court of law.

In the light of above discussion, as this petition is hit by delay and laches, the same is accordingly dismissed. Pending miscellaneous applications, if any, also stand disposed of.

(Ajay Mohan Goel)
Judge

May 30, 2026
(narender)