

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16596 of 2007

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Shambhu Nath Jha, son of Adhik Lal Jha, resident of village and P.O.
Mahagama, District- Godda

.... Petitioner

Versus

1. The State of Bihar through Agriculture Production Commissioner,
Bihar, Patna
2. The Agriculture Production Commissioner, Agriculture Department,
New Secretariat, Patna
3. The Director, Agriculture, Agriculture Department, New Secretariat,
Patna
4. The Director, Horticulture, Bihar, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Durga Nand Jha

For the Respondent/s : Mr. AC to AAG-11

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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5 27-03-2015 Heard Sri Durga Nand Jha, learned counsel for the
petitioner and learned AC to AAG-11.

The petitioner, who retired long back on 31.01.1996 as Assistant Agriculture Officer (Horticulture), has approached this Court by filing the present writ petition in the month of December, 2007 with a prayer to direct the Respondents to fix his pay in the scale of Rs.3000-4500/- as revised in the pay Scale of Rs.6500-10,500/- by allowing first time band with effect from 01.04.1981. Besides this, other relief has also been sought in the present writ petition.

At the time of argument, learned counsel for the petitioner submits that the petitioner was entitled to be granted

first time bound with effect from 01.04.1981, whereas he has been granted same relief with effect from 06.01.1983. It has been pleaded that other similarly situated persons were granted relief with effect from 01.04.1981 ignoring the claim of the petitioner.

Fact remains that even if petitioner's claim was ignored, it was ignored in the year 1981 and, as such, cause of action arose on the date, when the first time bound promotion was granted to the petitioner i.e. 06.01.1983. Even if it is accepted that the petitioner was denied equal treatment, after such a long time, there is no reason to entertain such writ petition.

The writ petition stands dismissed due to the reason that petitioner himself has slumbered over his right for several years.

(Rakesh Kumar, J)

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