

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7440 of 2014

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Chunchun Prasad Singh, Son of Late Mahendra Prasad Singh, Resident of
Village- Birangarh, Police Station- Barahat, District- Banka.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Water Resources Department, Government of Bihar, Patna.
2. The Additional Commissioner cum Secretary, Water Resource Department, Government of Bihar, Patna.
3. The Chief Engineer, Water Resource Department, Bhagalpur.
4. The Superintending Engineer, Irrigation Circle, Bhagalpur.
5. The Executive Engineer, Irrigation Division Bounsi, District- Banka.
6. The Treasury Officer, Banka, District- Banka.
7. The Accountant General (A & E), Bir Chand Patel Path, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Balram Kapri

For the Respondent nos.1to6: Mr. Saroj Kumar Sharma, AC to AAG-3

For the Respondent no.7 : Mr.Ranjan Kumar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 21-01-2015 Heard the parties.

The petitioner is aggrieved by the order dated 31.03.2004 (Annexure-1) passed by the respondent Chief Engineer, Water Resources Department, Bhagalpur, whereby his revised pay scale was fixed. The present writ petition has been filed on 16.04.2014 i.e. after delay of about 10 years from the date of issuance of the impugned order dated 31.03.2004. In paragraph 8 of the writ petition, it has been stated that the petitioner superannuated from service on 31.07.2009 from the post of Treasurer Guard.

Indisputably, even after 31.03.2004 when the impugned order was passed, petitioner was still in service and he superannuated from service on 31.07.2009, but he did not

challenge the validity and correctness of the impugned order regarding fixation of his revised pay scale during his service period. However, after about five years from the date of his superannuation, he has filed the present writ petition in order to get a dead issue revived.

In the considered opinion of this Court, the present writ petition suffers from delay and laches on the part of the petitioner. The issues, which have attained their finality in the year 2004 itself, cannot be permitted to be raised and revived once again after long delay of ten years.

For the reasons recorded above, the present writ petition has to fail and is, accordingly, dismissed, but without costs.

(Birendra Prasad Verma, J)

Arvind/-

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