

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1591 of 2015

=====

Ramanand Sharma, Son of Ganga Ram Sharma, Resident of Village- Pyarepur,
P.O.- Sarmera, P.S.- Sarmera, District- Nalanda

.... Petitioner

Versus

1. The Accountant General, Bir Chand Patel Path, Patna
2. The Accounts Officer, Office of the Accountant General, Bir Chand Patel Path,
Patna

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Respondent-A.G.: Mrs. Nivedita Nirvikar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 01-12-2016

A bundle of confusing facts have been stated in the writ petition.

It has been contended by the learned counsel for the petitioner that the petitioner was initially appointed in 1963 as Office Assistant in District Audit Office, Co-operative Societies, Chaibasa, Singhbhum. He worked there till October, 1968. Subsequently, he took charge of Assistant Teacher at Rajkiya Buniyadi School, Anandpur, Singhbhum, Chaibasa and remained there from 25.10.1968 to 14.10.1974 and, thereafter, he superannuated on 30th April, 1998 from the post of Lecturer in

Government Primary Teacher Training College, Sheikhpura.

The contention of the petitioner is that he has received all his post-retiral dues as back as in 1998 itself, but the contribution made by the petitioner under the head provident fund between the period 30th April, 1963 to October, 1968 and November, 1968 to October, 1974 has not been paid till date.

The petitioner has not brought on record any document in support of his contention regarding appointment on different posts. It is not known whether he was appointed initially under the services of the State or not. The petitioner did not approach this Court immediately after his retirement in 1998 or within a reasonable period of time. The inordinate delay of 17 years caused in filing the writ petition before this Court has not been explained.

In my view, such a belated and stale claim cannot be allowed to be raised in a writ petition. Accordingly, the writ petition is dismissed on the ground of delay and laches alone.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.12.2016
Transmission Date	NA