

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1621 of 2012

IN

Civil Writ Jurisdiction Case No. 6526 of 2012

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Md. Mahfooz Alam, S/o Abdul Hameed Alam, R/o Khetari Mohalla, Near Jail Tank, P.S.-Ara Town, Distt- Bhojpur, Ara

.... Appellant

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Planning and Development , Government of Bihar, Patna
3. The Director, Statistic and Evaluation, Department of Planning and Development, Bihar, Patna
4. The Joint Secretary, Planning and Development Department, Government of Bihar, Patna
5. The Deputy Secretary, Department of Planning and Development, Government of Bihar, Patna

.... Respondents

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Appearance :

For the Appellant : Mr. Pravin Kumar Sinha, Advocate.

For the Respondents : Mr. D.K. Prasad, G.P. 7

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 02-03-2016

Heard learned counsel for the appellant and the State.

2. The present Letters Patent Appeal is directed against an order passed by the learned Single Bench of this Court on 26th of April, 2012 in C.W.J.C. No. 6526 of 2012, whereby the same was dismissed on the ground of delay and laches.

3. The services of the appellant were terminated on 01.09.1998. However, for the first time he made a grievance in another writ petition filed by some other similarly situated persons by filing an Interlocutory Application in the year 2011 i.e. almost after 13 years of his termination. Therefore, there is a long delay in invoking the jurisdiction of the Court either through Interlocutory Application or

through the writ petition in the year 2012.

4. In view of the said fact, we do not find any error in the order passed by the learned Single Bench which may warrant interference in the present intra court appeal.

5. The Letters Patent Appeal is, thus, dismissed.

(Hemant Gupta, J)

(Navaniti Prasad Singh, J)

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