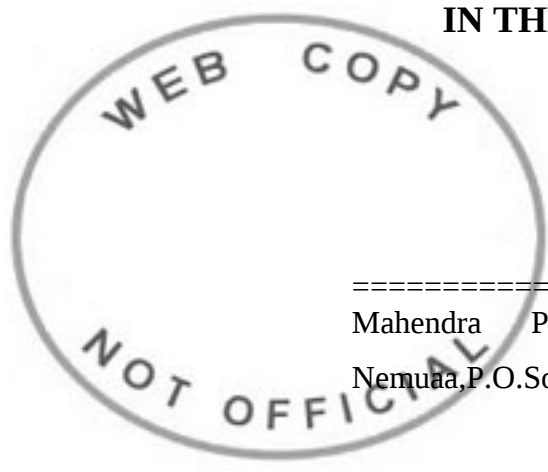




IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.763 of 2015
With
Interlocutory Application No. 3145 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 3254 of 2010**

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Mahendra Prasad Yadav S/O Ram Kripal Yadav, R/O Vill
Nemuaa, P.O.Sonre, P.S.Lokhnaur, Distt - Madhubani

.... Appellant/s

Versus

1. The State of Bihar
2. The Chief Secretary, Government of Bihar, Patna
3. The Principal Secretary, Department Of Health Government Of Bihar, Patna
4. The Director - In - Chief, Health Services, Department Of Health, Govt. Of Bihar, Patna
5. The Regional Deputy Director, Health Services, Darbhanga Division, Darbhanga
6. The Civil Suregon - Cum Chief Medical Officer, Madhubani
7. The In - Charge Medical Officer, Primary Health Centre, Ghoghardiha, Ghoghardiha, Distt - Madhubani
8. The In - Charge Medical Officer, Primary Health Centre, Andhra Thadhi, Distt - Madhubani

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Prafull Chandra Jha, Advocate
For the Respondent/s : Mr. Anil Kumar Sinha, GA 8
Ms. Nutan Kumari Sinha, AC to GA 8

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**CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA
and
HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)
Date: 26-07-2016

This Letters Patent Appeal has been preferred with an interlocutory application to seek condonation of delay of 2 years and 12 days in filing the appeal.

The challenge in the writ application on behalf of the appellant is to an order dated 14.08.1995, by which the services of the appellant were terminated after having worked for about 7 years on the post of Basic Health Worker. The appellant-writ petitioner challenged the order of termination after 15 years in the year 2010. The learned Single Bench has rightly dismissed the writ petition on the ground of delay and laches.

The right to approach the writ court accrued to the appellant after his services were terminated on 14.08.1995 itself. But invocation of writ jurisdiction of this Court after 15 years has been rightly found to be grossly delayed. Apart from this fact, even the order of the learned Single Bench is being disputed in the present appeal after lapse of more than two years. Not only there is delay in invoking jurisdiction of the writ court but also that in the filing of the Letters Patent Bench.

We do not find any reason for condonation of delay in filing the present Letters Patent Appeal or invocation of the jurisdiction of the writ court.

This appeal is accordingly dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

mrl

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	01.08.2016
Transmission Date	N.A.