

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No. 157 of 2015

Arising out of

Civil Writ Jurisdiction Case No. 10659 of 2011

Along with

Interlocutory Application No. 724 of 2015

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Rameshwar Prasad Bishwakarma, Son of Late Bishwanath Bishwakarma, resident at Daudpur, P.O. Daudpur, P.S. Shahpur, District- Patna.

....Petitioner/Appellant/s

Versus

1. Bihar State Road Transport Corporation, Sultan Palace, Birchand Patel Path, Patna to its Managing Director.

2. The Managing Director, Bihar State Road Transport Corporation, Sultan Palace, Birchand Patel Path, Patna.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bipin Bihari Singh &
Mr. Rakesh Ranjan, Advocates.

For the Respondent/s : Mr. P. K. Verma, Sr. Advocate.
Mr. Lakshmi Kant Tiwary, Advocate.

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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: 05-04-2016

Re.: Interlocutory Application No. 724 of 2015

For the reasons mentioned in the application, the delay of 33 days in filing of the Letters Patent Appeal is condoned.

Interlocutory Application stands disposed off accordingly.

Re.: Letters Patent Appeal No. 157 of 2015

The appeal is directed against an order passed by the learned Single Bench of this Court on 10th October, 2014 whereby the writ application filed by the appellant has been dismissed on the

ground of delay and laches.

The appellant claims promotion after his superannuation on 1st July, 1993. The first representation to claim promotion was filed on 26th May, 1995 followed by the another representation on 27th October, 2009.

The learned Single Bench has rightly found that the promotion cannot be claimed after superannuation and that too in the year 2014. We find that even the first representation was submitted after superannuation of the appellant.

We do not find any error in the order passed by the learned Single Bench of this Court which may warrant interference in the present intra-court appeal.

The Letters Patent Appeal stands dismissed.

(Hemant Gupta, J.)

(Ahsanuddin Amanullah, J.)

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