

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12023 of 2013

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Lal Deo Singh Aged About 69 Years S/o Late Sheo Nandan Singh, Retired Police
Constable Village Manjhwly, P.S.- Wazirganj, Distt. Gaya.

.... Petitioner/s

Versus

1. The Superintendent of Police, Monghyr
2. The Deputy Inspector General of Police, Monghyr Range
3. The Inspector General Police, Bhagalpur Zone
4. The Director General Police cum Inspector General Police, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Kumar Singh

For the Respondent/s : Mr. S.K. Singh, AC to GP-19

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 06-10-2016

Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner has made a complain that
during his life time of service, he has not been granted the 1st and 2nd
Time Bound Promotion. He has been appointed as Constable and has
superannuated from service in 1985 as Constable without any
promotion. For the first time, he approached this Court in the year
2013 and has submitted that he went on filing the representation
before the authority concerned, but every time, they have not taken
any cognizance.

It is well known principle of law that the delay defeats
the legal right. If the petitioner remained in slumber for 18 years and

kept silence by filing the representation, will not be helpful to condone the delay and laches.

Though the limitation Act does not apply in the writ petition, as repeatedly this Court and the Hon’ble Supreme Court have held that in a case when any person approaches after a long delay, certainly the Court should refuse to entertain the application even though he went on filing representation. Reliance can be placed on judgments reported in **(2008) 10 SCC 115 (C. Jacob vs. Director of Geology and Mining and others)** and **(2010) 2 SCC 59 (Union of India vs. M.K.Sarkar)**.

In such view of the matter, this Court does not find any merit in the present case and the same is, accordingly, dismissed.

(Shivaji Pandey, J)

Mahesh/-

AFR/NAFR	NAFR
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