

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.888 of 2016

IN

Civil Writ Jurisdiction Case No. 14224 of 2015

- =====
1. Kailash Sahu son of Dhanika Sah, Resident of Gokhalenagar, Police Station - Balia, District - Begusarai
 2. Nagmani Kumar @ Nagmani Singh son of Uttam Paswan
 3. Vijay Paswan son of Uttam Paswan Both 2 and 3 are Resident of Mohalla - Mohanpur, Police Station - Begusarai (Mufassil), District - Begusarai

.... Appellant/s

Versus

1. The State of Bihar through the District Magistrate, Begusarai
2. The District Magistrate, Begusarai
3. The Secretary, Department of Homes, Government of Bihar, Patna
4. Director General, Bihar Home Guard, Patna
5. Commandant Bihar Home Guard, District - Begusarai
6. Superintendent of Police, Begusarai

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Choudhary Shyam Nandan

For the Respondent/s : Mr. GP6- PRASHANT PRATAP

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 25-07-2017

The delay in filing of the appeal as prayed for in
I.A. No. 3352 of 2016 is condoned.

The appellants were discharged from the service of
the Home Guard by the District Magistrate, Begusarai vide order
passed on 31.08.1990. Subsequently, some relaxation was granted to
certain employees on 10.05.2012 and challenging the order passed
discharging the appellant in the year 1990, the writ petition in



question was filed.

The learned Writ Court evaluated the matter and finding that for the cause of action which occurred in the year 1990, filing of the Writ Petition in the year 2015 is barred by the principle of delay and laches and in doing so, learned Writ Court has not committed any error. We find no error warranting reconsideration.

Accordingly, the appeal stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
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