

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1130 of 2015

IN

Civil Writ Jurisdiction Case No. 6380 of 2008

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Tara Devi Wife of Late Shashi Bhushan Singh, Resident of Village - Karnauti,
P.O. - Karnauti, Police Station - Bakhtyarpur, District - Patna.

.... Appellant/s

Versus

1. The State of Bihar
2. The Director (Primary Education), Human Resources Development Department,
Bihar, Patna
3. The Regional Deputy Director of Education, Patna Division, Patna.
4. The District Superintendent of Education, Bhojpur, Ara.
5. The Commissioner, Patna Division, Patna.
6. The Accountant General, Bihar, Patna.
7. The Treasury Officer, Bhojpur, Ara.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dhananjay Kumar

For the Respondent/s : Mr. SC8- Kumar Alok

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 03-08-2017

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

The impugned order of the Learned Single Judge,
dated 08.04.2015 is required to be set aside, which has been
primarily dismissed on the ground of delay and laches.

Submission of the counsel for the appellant is that till
2006 the file was under-process for grant of arrears of benefit of
time-bound-promotion, which was granted to husband of the



appellant, by virtue of a judicial order.

Writ application was filed in the year 2008. Since the matter remained pending for seven years, appellant cannot be blamed for that.

The Court is satisfied that the dismissal of the writ application is misplaced.

The appeal is allowed.

The District Programme Officer (Establishment), Bhojpur at Ara is now required to expedite the issue of payment of arrears of time-bound-promotion, granted to husband of the appellant. If the benefits have not been paid to the widow, as yet, the same should be made within a period of three months from the date of production / communication of a copy of this order.

Appeal is allowed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
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