

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1349 of 2014

In

Civil Writ Jurisdiction Case No. 9268 of 2013

=====

Bindeshwari Prasad Singh @ Bindeshwar Pd. Singh, S/O Late Sukhu Prasad, resident of Village- Usmanpur, P.O. Kosiyambam, P.S. Ekangarsarai, District-Nalanda.

.... Petitioner-Appellant

Versus

1. The State of Bihar through Secretary, Department of Water Resources, Government of Bihar, Patna.
2. The Chief Engineer, Department of Water Resources, Birpur, Supaul.
3. The Superintending Engineer, Department of Water Resources, Birpur, Supaul.
4. The Executive Engineer, Department of Water Resources, Head Works Division, Birpur, Supaul.

.... Respondents

=====

Appearance :

For the Appellant : None.

For the Respondents : Mr. Kinkar Kumar, Advocate.

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 25-04-2017 Seeking exception to an order dated 08.05.2014 passed by the learned Writ Court in C.W.J.C. No. 9268 of 2013, this petition has been filed under Clause 10 of the Letters Patent.

The petitioner by filing a writ petition claimed promotion with effect from 1981 when his junior working in the work charge establishment was said to have been promoted. However, the petitioner had filed this writ petition not when the cause of action for promotion accrued in the year 1981, but he continued to work and after his superannuation from the service in



the year 2011 filed this writ petition three years thereafter in the year 2014.

Considering the aforesaid fact that the petitioner has slept over the matter while in service and has challenged his promotion after three years of his retirement, treating there to be an inordinate delay and latches, the petition has been dismissed by the Writ Court. We see no reason to make any indulgence in the matter as no error is committed by the Writ Court in doing so.

The appeal is, therefore, dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

U.K./-

U			
---	--	--	--

