

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.431 of 2015
IN
Civil Writ Jurisdiction Case No. 20160 of 2012**

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1. Rambilash Yadav son of Late Ramk Lakhan Singh Yadav resident of Mohalla Patel Nagar , P.O. Bhakharua More , P.S. Daud Nagar , District Aurangabad

.... Appellant/s

Versus

1. The State of Bihar , through Chief Secretary, Govt. of Bihar, Patna.
2. The Commissioner -cum -Secretary , Water Resources Department , Govt. of Bihar , Patna.
3. The Special Secretary , Department of Water Resources , Govt. of Bihar, Patna.
4. The Deputy Secretary, Water Resources Department, Govt. of Bihar, Patna
5. Managing Director , Bihar State Hydro Electric Power , Corporation Ltd. 2nd floor, Birchand Patel Marg , Sone Bhawan , Patna
6. The Assistant Manager, Accounts , Bihar State Hydro Electric Power Corporation Ltd. 2nd floor , Birchand Patel Marg, Patna.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Durgesh Nandan, Advocate

For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 02-08 -2017

Seeking exception to an order dated 15.4.2014 passed by the learned Writ Court in C.W.J.C. No.20160 of 2012, this appeal has been filed under Clause 10 of the Letters Patent.

Petitioner retired from service on 30th of September, 2000 and filed the writ petition in the year 2012 claiming benefit of increment and promotion mainly on the ground that after his retirement it has come to his notice that by virtue of a similar order



passed in a criminal proceeding on 10.4.1997, benefits have been granted to the employees. He claimed the same benefit after his retirement by submitting a representation in the year 2007 and after five years when the representation was not decided, the writ petition was filed in the year 2012. The learned Writ Court went into the detail, took note of the principles of law laid down by the Hon'ble Supreme Court in the case of Chennai Metropolitan Water Supply and Sewerage Board and others Vs. T.T. Murali Babu, decided on 10th of February, 2016, the principle of delay and laches discussed therein and dismissed the writ petition.

In doing so, we are of the considered view, the learned Writ Court has not committed any error warranting re-consideration.

The appeal is, therefore, dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.jha/-

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