

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1448 of 2016

In
Civil Writ Jurisdiction Case No.976 of 2004

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Vinod Kumar Ojha son of Srinivas Ojha Resident of Village- Bandha, P.O.-
Amrai Nawada, P.S.- Bihiya, District- Bhojpur.

... .. Appellant/s

Versus

1. The State of Bihar.
2. The Director General of Police, Bihar, Patna
3. The Inspector General of Police (Personal), Bihar, Patna.
4. The Deputy Inspector General of Police (Communication)-Cum- Chairman,
Bihar, Patna.
5. That Additional Inspector General (Personal), Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar Mishra, Adv.
For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 06-03-2018

Seeking exception to an order dated 2.7.2010 passed by
the learned Writ Court in C.W.J.C. No.976 of 2004, this appeal has
been filed under Clause 10 of the Letters Patent.

Apart from the fact that there is an inordinate
unexplained delay of more than 344 days in filing of the appeal, we
find from the record that the matter pertains to appointment on the
post of Constable which was undertaken in the year 1983. The writ
petition was filed more than 12 years after the recruitment process
was done and by the time the matter came for consideration on



2.7.2010, the petitioner had crossed the age of 50 years and finding there to be an inordinate unexplained delay in filing of the appeal, the learned Writ Court has refused to exercise its discretionary jurisdiction in the matter and has dismissed the writ petition primarily on the ground of delay and laches.

In doing so, we are of the considered view, the learned Writ Court has committed no error warranting re-consideration.

The appeal is, therefore, dismissed.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
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