

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17974 of 2010

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Mahendra Prasad Singh, son of late Bihari Singh, resident of vill-
Madhuwan, PO-Lalganj, Sehra, PS-Paliganj, Dist-Patna at present posted at
Sub Divisional Office, N.H. Gaya II on the post of Truck Khalasi

.... Petitioner/s

Versus

1. The State of Bihar through the Engineer in Chief-cum Additional
Commissioner-cum-Special Secretary, Road Construction Department,
Visheswaraiya Bhawan, Patna
2. The Chief Engineer, National High Ways Public Works Department,
Visheswaraiya Bhawan, Patna
3. The Superintending Engineer N.H. National Highways Public Works
Department, Patna
4. The Executive Engineer, National Highways Public Works Department,
Gaya Division, Gaya (Commissionary office, Gaya)

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sadanand Paswan

For the Respondent/s : Mr. (Aag11)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-06-2018 The present petition has been filed for
regularization of services of the petitioner and payment of arrears
of wages w.e.f. 21.10.1984.

The brief facts of the case are that the petitioner
was appointed as Truck Khalasi on 21.10.1984 as a temporary
employee in the Road Construction Department, National
Highway Division, Dehri-on-Sone, however the petitioner is stated
to have been removed from service in the year 1990. The
petitioner had then approached this Court by filing a writ petition
bearing ***CWJC no. 332 of 1990*** and this Court by an order dated
23.05.1991 had directed the respondents to re-employ the



petitioner without any back wages. It is the case of the petitioner that the petitioner was thereafter, re-appointed on daily wages w.e.f. 22.07.1991 as a work charge employee and thereafter, the petitioner has been regularly filing representation for regularization of his services.

It appears that the cause of action had arisen in the present case in the year 1991, however the petitioner has moved this Court in the year 2010 i.e. after a lapse of about 19 years, hence this Court finds that the present case is grossly barred by the principles of delay and laches.

Having regard to the facts and circumstances of the case, no relief can be granted to the petitioner who has been sleeping all the while and not asserted his rights at the opportune moment of time.

In such view of the matter, the present writ petition being devoid of merit, is dismissed.

(Mohit Kumar Shah, J)

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