

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14946 of 2010**

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Birendra Kumar Tiwary, son of Late Kamla Tiwary, resident of village, P.O. & P.S.- Ekma, District-Chapra (Saran), at present C/o- Mr. Omprakash Tiwary, Advocate, at Shitla Asthan Road, Tilkamanjhi, P.S.Kotwali, District -Bhagalpur

... .. Petitioner

Versus

1. The State of Bihar through the Secretary, Department of Home Affairs, Govt. of Bihar, Patna.
2. The Director General of Police, Bihar, Patna
3. The Inspector General of Police, Bihar, Patna
4. The Deputy Inspector General of Police, Bihar, Patna
5. The Senior Superintendent of Police, Bhagalpur
6. The Superintendent Of Police, Bhagalpur
7. The then Conducting Inquiry Officer, Mr. R.K. Naidu, Assistant Superintendent of Police, Law & Order, Bhagalpur

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate  
For the Respondent/s : Mr. Vijay Kumar Verma, A.C. to G.A.-2

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL JUDGMENT**

**Date : 16-05-2018**

No one appears for the petitioner. Learned counsel for the State is present.

In the present case, the petitioner is challenging the order containing memo no.520 dated 22.01.1991, whereby and where-under, annual increment of the petitioner has been stopped for two years, equivalent to three black mark. Further prayed that after quashing the order, the respondents be directed to grant all consequential benefits.



At the outset, learned counsel for the State has taken a plea that the order of punishment is dated 22.01.1991 and as per the pleadings of the writ petition, the petitioner after knowing his punishment he filed a representation on 11.10.1993 and this writ petition has been filed in the year 2010 i.e. after delay of 19 years, itself is a ground for dismissal of the petition.

As this writ petition suffers from delay and laches, the same is not maintainable. Accordingly, this writ petition is dismissed.

**(Shivaji Pandey, J)**

pawan/-

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