

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15155 of 2013

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Syed Khalid Ahmad S/O Late Syed Ghulam Mohiuddin Resident Of Mohalla
- Mian Bagh Sonapur, P.S. + P.O. - Sonapur, District - Chhapra (Saran)
... .. Petitioner

Versus

1. The Union Of India Through General Manager, N.E. Rly, Gorakhpur
2. The Divisional Rly. Manager, Engineering, N.E. Rly, Baranasi
- Respondents

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Appearance :

For the Petitioner : Mr. Ranjeet Kumar Singh, Advocate
For the Respondents : Mr. Anil Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT

Date : 27-11-2018

Heard learned counsel for the petitioner and learned counsel
for the respondents.

2. The present writ petition has been filed for a direction to
the respondents to pay an amount of Rs. 5,66,041.08 paise in respect of
contractual work done by the petitioner.

3. At the very outset, a preliminary objection was raised on
behalf of the respondent-Railway to the effect that the agreement
between the parties was entered into as far back as on 16.02.1999. The
work done by the petitioner was verified by the respondents. If the
petitioner claims payment of any outstanding dues, he has approached
this Court after considerable delay of about 14 years by filing the
present writ petition in the year 2013.

4. Learned counsel for the petitioner submits that in this
regard several representations had been filed before the respondents
who had assured to make payment of the dues of the petitioner.



5. Having heard the parties and on consideration of the materials available on record, this Court is of the view that the petitioner has not acted with due diligence in seeking remedy before this Court. It is well settled that mere filing of representations before the authorities does not absolve the petitioner of laches and delay. No satisfactory clarification whatsoever has been offered by the petitioner to explain the inordinate delay of about 14 years in approaching this Court for redressal of his grievances. It is therefore clear that the petitioner is pursuing a stale claim which this Court is not inclined to entertain.

6. The writ petition accordingly stands dismissed.

BT/Chandran

(Vikash Jain, J)

AFR/NAFR	NAFR
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