

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.447 of 2018

In

Civil Writ Jurisdiction Case No.4237 of 2016

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Dilip Rikiyasan, Son of Sri Ram Das Rikiyasan Resident of Village + PO-
Pipra, PS- Dumariya, District Gaya.

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Project Director, Bihar Mahadalit, Vikas Mission, Bihar Patna.
3. The Additional Director of Welfare, Bihar Patna.
4. The District Magistrate, Gaya.
5. The District Planning Officer, Gaya, Advocate
6. The Sub-Divisional Welfare Officer, (Mahadalit Incharge) Sherghati, Gaya.
7. The Sub Divisional Officer, Sherghati, Gaya.
8. The Labour Inforcement Officer, Dumariya, Sherghati, District- Gaya.
9. The Circle Officer, Dumariya,
10. The BDO (Block Development Officer), Dumariya Prakhanda, P.S.- Dumariya,
District- Gaya.
11. The Mukhiya, Koluluhuar Panchayat, Gaya
12. Jasima Devi, W/o Mahendra Manjhi, R/o Village- Bhandar, P.O.- Pipra, P.S.-
Dumariya, District- Gaya.

... .. Respondent/s

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Appearance :

For the Appellant/s :

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 28-06-2018

The appointment in question was made in the year 2010. Petitioner after making a complaint in the year 2011 stood satisfied by not taking any legal action in the matter, raised the second grievance in the year 2015 and filed the writ petition in the year 2016 during which period persons were appointed, rights had accrued to him and the hibernation by the petitioner



in only approaching the department after 2010 and sleeping over between the year 2011-15, created vested rights in favour of various persons and the petitioner having not approached the Court within a reasonable time, we are not inclined to interfere into the matter and the learned Writ Court in dismissing the writ petition on such consideration has not committed any error. Merely by writing to the department and sleeping over the matter without approaching the court within a reasonable time, the Writ Court did not commit any error in refusing to exercise its discretionary jurisdiction in such a matter under Article 226 of the Constitution.

The Letters Patent Appeal stands dismissed.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./-

AFR/NAFR	N.A.F.R.
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