

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1567 of 2017

In
Civil Writ Jurisdiction Case No.157 of 2011

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Dinesh Kumar Singh, son of Ram Suresh Singh, Resident of Village-
Ratanpur, P.S.- Begusarai Town, District- Begusarai.

... .. Appellant

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, new Secretariat, Patna.
2. The Director of Secondary Education, Bihar, Budh Marg, Patna- 01.
3. The District Education Officer, Begusarai, at Begusarai.
4. The Head-master Govt. Sri Lakshmi Narayan Udit High School, Sakarpur, P.S. Bakhari, District- Begusarai.

... .. Respondents

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Appearance :

For the Appellant/s : Mr. Dronacharya, Advocate
For the Respondent/s : Mr. Vinay Kr. Mishra, A.C. to AAG-15

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER
(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

6 27-11-2018

Re.: I.A. No. 8070 of 2017

Heard Mr. Dronacharya, learned counsel appearing
for the petitioner and Mr. Vinay Kumar Mishra, learned A.C. to
A.A.G-15.

This Interlocutory Application has been filed for
condonation of delay of six years and 67 days in filing this intra-
court appeal which arises from the judgment and order dated
21.07.2011 passed by learned Single Judge in CWJC No.
157/2011, whereby the writ petition has been dismissed.



We have gone through the explanation given in the condonation application but we are not satisfied with the reasons assigned because no explanation can justify the excessive delay of six years and 67 days.

Even on merits, we find that the petitioner had earlier come to this court through CWJC No. 18520/2009 which was disposed of vide order passed on 27.04.2010 with a liberty to approach the Director, Secondary Education-cum-Joint Secretary, Bihar for pursuing the grievance but even at that stage the relief granted to some other appointee who according to the writ petitioner, were similarly situated, was not accorded to the petitioner and his plea of parity was rejected. The claim on appointment was considered by the Director, Secondary Education who found that the letters produced by the petitioner was fake as no such records was available in the Bihar Secondary Education Office.

For the discussions so made hereinabove, we are neither persuaded to condone the excessive delay of six years and 67 days nor we find any infirmity in the opinion of the learned Single Judge to dismiss the writ petition.

In result, I.A. No. 8070/2017 is rejected and consequently L.P.A. No. 1567/2017 is dismissed in limine.



I.A. No. 6682/2018 is disposed of.

(Jyoti Saran, J)

(Rajeev Ranjan Prasad, J)

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