

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 14423 of 2014

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Ramesh Chandra Paswan, S/o Late Babulal Paswan, Resident of Village Kasar, P.S. Ariari, District Sheikhpura.

... .. Petitioner/s

Versus

1. The State Of Bihar through District Magistrate, Sheikhpura
2. The District Police Superintendent (S.P.), District Sheikhpura.
3. The Thana Incharge, Thana Ariari, Prakhand Ariari, District Sheikhpura.
4. The Commissioner, Munger Division, Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Satish Kumar
For the Respondent/s : Mr.P.K. Verma

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 27-08-2019

Heard learned counsel for the petitioner and the respondent-State.

2 Claim for arrears of salary in respect of father of the petitioner has been raised in the instant proceedings. Learned counsel for the petitioner submits that petitioner's father served as Chaukidar in between 03.05.1924 to 24.01.1978, when he died in harness.

3 Whether the petitioner is permitted to approach this Court with such stale claim is an issue which stands settled by various decision. The jurisdiction under Article 226 of the



Constitution does not permit the petitioner, who is not diligent of his own rights, to awake as per his own convenience and approach this Court after inordinate and unexplained delay, which, in the instant case, is of about 36 years.

4 The admitted position is that the petitioner's father died in harness in January, 1978 and the writ petition has been filed in the year, 2014. The claim for any arrears of salary for the period of alleged service of the petitioner's is also not made with reference to any details in respect of the period for which arrears is being claimed. The pleadings, even if they were to be looked into, will not allow this Court to arrive at a conclusion regarding the petitioner's claim.

5 Writ petition is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
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