

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.783 of 2018
In
Civil Writ Jurisdiction Case No.11347 of 2016

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Hello Message Narkatiaganj, West Champaran through Proprietor-Jagdish Prasad, S/o Late Bindeshwari sah, R/o Village PO-Mukhtar Khana, Ward No. 16, Narkariaganj, P.S. Shikarpur, District West Champaran, Bettiah.

... .. Appellant/s

Versus

1. The State of Bihar
2. The The State Project Officer, Bihar Mahadalit Development Mission, Bihar, Patna.
3. The Collector-Cum-District Magistrate, motihari, District Motihari.
4. The Addl. Collector, East Champaran, Motihari, District Motihari.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Sharda Nand Mishra
For the Respondent/s : Mr.Md.Khurshid Alam -Aag12

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 09-12-2019 Heard learned counsel for the appellant and the

learned counsel for the respondents.

This Letters Patent Appeal has been preferred against
the order dated 12.04.2018 passed in C.W.J.C. No. 11347/2016
by the learned Single Judge by which the learned Single Judge
has been pleased to dismiss the writ petition on the ground of
delay without any cause, whenever appellant filed application



before respondents which is still pending for due consideration.

On the ground of delay and laches, the learned Single Judge has dismissed the petition.

The impugned order dated 12.4.2018 passed in C.W.J.C. No. 11347 of 2016 reads as under:

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

2. The present writ petition has been taken up out of turn on the request of learned counsel for the petitioner for disposal of the same with a direction to the respondents to pay the admitted dues of the petitioner.

3. Learned counsel for the petitioner submits that despite having completed the data entry work of the Mahadalit Survey Family List, an amount of Rs. 1,97,866/- remains outstanding for payment.

4. At the very outset this Court takes note that the petitioner has approached this Court after an inordinate delay of over nine years for redressal of his grievance, which relates to the year 2009. The petitioner is clearly pursuing a stale claim and is not entitled to relief by this Court in its extraordinary jurisdiction in view of the delay and laches, as no good ground has been stated to explain such delay.

5. The writ petition stands dismissed.



In our considered view, with the delay of nine years the petitioner has approached the writ court, which remains unexplained.

Accordingly, the appeal stands dismissed.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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