

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14356 of 2019

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Ram Naresh Prasad, Son of Late Dirgopal Saw, Resident of Village- Jhunathi,
Police Station- Asarahi, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Department of Education, Government of Bihar, New Secretariat, Patna.
2. The Director (Secondary Education), Department of Education, Government of Bihar, Patna.
3. The District Education Officer, Nawadah.
4. The Principal, Munakka Phool Chand Sahu (Project) Girls High School, Hisua, Nawadah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sharma, Advocate
For the Respondent/s : Smt. Shilpa Singh (GA-12)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

7 22-10-2021 This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

2. In the present writ application filed under Article 226 of the Constitution of India the petitioner is seeking quashing of Memo No. 221(P) dated 07.05.2010, issued under the signature of Director, Secondary Education, Government of Bihar, whereby the petitioner's claim for recognition of his service as an Assistant Teacher Hindi/ History has been turned down. He is also seeking a direction to pay him his salary with effect from the date the Project Munukka Phool Chand Sahu Girls School, Hisua, Nawada was taken over by the



Government, i.e. 01.01.1989.

3. A counter affidavit has been filed on behalf of the State of Bihar. Learned counsel for the State of Bihar is present.

4. This writ application has been filed more than nine years after passing of the order, which is being assailed in the present writ application. There is absolutely no explanation in the writ application justifying the delay of more than nine years in approaching this Court. In the Court's opinion, in the facts and circumstances of the case, the petitioner cannot be permitted to raise a stale claim after more than nine years and claim payment of salary after more than three decades.

5. This application is accordingly dismissed on the ground of delay and laches on the part of the petitioner.

(Chakradhari Sharan Singh, J)

Rajesh/-

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