

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20386 of 2018

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Lalit Kumar Bhagat Son of Shiv Prasad Bhagat, Resident of Village P.O.
Tihutta P.S. Babubarhi, District-Madhubani.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director Primary Secondary and Adult Education Govt. of Bihar Patna.
3. The District Magistrate, Madhubani.
4. The District Education Officer, Madhubani.
5. The District Programme Officer Estab. Madhubani.
6. The Block Development Officer Andhratharhi Madhubani.
7. The Block Education Officer Andhratharhi Madhubani.
8. The Panchayat Secretary Marukiya Andhratharhi, Madhubani.
9. The Then Mukhiya Gram Panchayat Marukhiya Andhratharhi, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav, Adv.

For the Respondent/s : Mr.Subhash Chandra Mishra- Sc16

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA
ORAL ORDER

3 18-10-2022

1. Heard the parties.

2. The petitioner by way of this writ petition has prayed for consideration of his case for appointment as Panchayat Teacher on the basis that he participated in the selection process conducted for Panchayat Teacher Appointment in 2008 for Raj Marukiya Panchayat, Block Andhratharhi, District-Madhubani.

3. Learned counsel for the petitioner submits that the petitioner has been attempting at all levels to get his appointment made as he was in the merit but the respondents did not appoint him. Ultimately, he has preferred this writ

petition.

4. The counter affidavit has been filed by the respondent no.5 and a preliminary objection has been raised with regard to entertaining of the petition after gross delay of almost 12 years. It is also pointed out that after the selection conducted in 2006 and 2008 rules have also changed and the method and mode of selection for the post of panchayat teacher has changed drastically. The petitioner, therefore, has not given out any reasons for not approaching any legal forum from 2008 till date.

5. I have carefully considered the submissions and I find that the petitioner has given out no cogent or tangible reason for not filing any claim for appointment for period of almost 12 years. It is also noticed that a criminal case was registered against the petitioner in the year 2018. Thus, from 2008 till 2018, it cannot be said that the petitioner was remedy-less. The petition therefore suffers from gross laches and delay and is accordingly dismissed.

(Sanjeev Prakash Sharma, J)

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Item no.26

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