

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.20652 of 2018**

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Durga Prasad Singh Son of Late Ramekbal Singh, Resident of Village-  
Ghoghiya, P.S.- Mashrakh, District- Saran Chapra.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Director Primary Education Department, Bihar, Patna.
3. The Regional Deputy Director, Saran, Chapra.
4. The District Education Officer D.E.O. Saran Chapra.
5. The District Programme Officer D.P.O. Saran Chapra.
6. The Accountant General, Bihar, Patna.

... .. Respondent/s

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**Appearance :**

|                      |   |                                                    |
|----------------------|---|----------------------------------------------------|
| For the Petitioner/s | : | Mr. Krishna Bihari, Adv.<br>Mr. Arbind Kumar, Adv. |
| For the State        | : | Ms. Namrata Singh, Adv.                            |
| For the A.G. Bihar   | : | Mr. Ram Kinker Choubey, Adv.                       |

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH  
SHARMA**

ORAL ORDER

2      18-10-2022                      1. Admittedly, the petitioner retired in 2002 and he claims promotion from 1973 by preferring a writ petition in the year 2018. No plausible explanation has come forward as to why the petitioner did not file a writ petition timely.

2. Although there may not be any limitation provided under the Act, with regard to filing of writ petition. However as held by the Apex Court, a writ petition has to be preferred within reasonable time. A writ petition filed after 16 years of retirement and claiming benefit which is more than 40 years back, cannot be said to be in any manner within a reasonable



time. Such petition for claiming promotion is therefore held to be suffering from laches and delay and is accordingly dismissed.

**(Sanjeev Prakash Sharma, J)**

Shaswat/-  
Item no. 40

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