

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7607 of 2021

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Sanjay Kumar Singh Son of Diwakar Prasad singh Resident of Mohalla- Ward no. 5, New Shastri Nagar near Mahadev Mandir, P.s.- K. Hat, Madhubani, District- Purnia at present posted at Divisional Account Officer, P.s.- K. Hat, District- Purnia

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Rural Works Department, Government of Bihar.
3. The Secretary, Minor Irrigation Department, Government of Bihar, Patna.
4. The Principal Accountant General, (A and E), Bihar, Beer Chand Patel Path, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ritika Rani
For the Respondent/s : Mr. Lalit Kishore (AG)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 10-02-2022

The matter is heard via video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

State counsel accepts notice for respondents.

In the instant petition, the petitioner has prayed for the following relief:-

“(A) For commanding the respondents to consider the case of promotion from the post of Divisional Account Officer Grade I to Senior Divisional Accounts Officer from due date 2010 and its consequential benefits.

(B) Also necessary relief/reliefs, order/orders, direction/directions, which the petitioner is entitled in the eye of law as well as on the facts of the case.”



The petitioner had a cause of action for seeking promotion in the year 2010. That apart, he had submitted representation on 20.12.2016 and 19.11.2019. It is highly belated claim. *The Hon'ble Apex Court decision in the case of P.S. Sadasiva Swami Vs The State of Tamilnadu reported in (1975) 1 SCC 152* in the case of *Vijay Kumar Kaul & Ors. Vs.- Union of India & Ors.* reported in *(2012) 7 SCC 610* it is held that if an employee has any grievance relating to promotion, seniority and appointment he must approach judicial forum within a period of six months from the date of cause of action in the light of the principle laid down in the Hon'ble Apex Court decisions cited (supra). The present petition stands dismissed on the ground of delay and laches.

(P. B. Bajanthri, J)

kamlesh/-

AFR/NAFR	NA
CAV DATE	NA
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