

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19733 of 2014

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Santosh Kumar Rai, Son of Sri Suryavansh Rai Resident of village - Adhaura,
Post office - Munjlee, P.S. Karakat Gorari , District - Rohtas

... .. Petitioner/s

Versus

1. The State Of Bihar through the Director General of Police, Bihar, Patna
2. The Director General of Police, Bihar, Patna
3. The Deputy Inspector General, Human Rights, Bihar, Patna
4. The Inspector General, Bihar Military Police, Bihar, Patna
5. The Chairman, Shahabad Range Board, Ara, Home (Police) Department, Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gaurav Govind, Advocate
For the State : Mr. Kumar Alok, SC 7

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH)

Date : 02-12-2022

The matter has been heard through video conferencing.

2. Heard Mr. Gaurav Govind, learned counsel for the
petitioner and Mr. Kumar Alok, learned SC 7 for the State.

3. The petitioner has moved this Court for the following
relief:

“(i) For issuance of a writ in the nature of Mandamus commanding the respondents to appoint the petitioner on the post of constable advertised vide advertisement no. 01/2004.

(ii) For issuance of any other writ/writs/order/orders to which the petitioner may be found entitled to.”



4. From the pleadings it is apparent that the advertisement was issued in the year 2004 and the process/exercise was completed way back in the year 2007 and the writ petition challenging the same came to be filed only in the year 2014 i.e., after a delay of 7 years from the cause of action.

5. Having regard to the aforesaid and the fact that the post on which the petitioner claims for appointment is that of a Constable where physical fitness is one of the major criteria and today the Court cannot judge on the basis of what was existing in the year 2004/2007.

6. For reasons aforesaid, the writ petition stands dismissed on the ground of delay and laches.

(Ahsanuddin Amanullah, J)

(Harish Kumar, J)

Anjani/-

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