

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.712 of 2019

Anjani Kumar, Son of Sri Chhedi Lal Poddar, Resident of Mohalla-Shiv Charan Lal Lane, Near Akhara Saraswati Asthan, K.M. Hat, Bhagalpur, Police Station-Bhagalpur, District-Bhagalpur. Petitioner/s
Versus

The Union of India and Ors Respondent/s

Appearance :

For the Petitioner/s : Mrs. Pravina Kumari, Advocate

For the Respondent/s : Mr. Rakesh Kumar Sinha, CGC

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE RAJIV ROY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 18-07-2022

Heard learned counsels for respective parties.

In the instant petition, petitioner has questioned the validity of the order dated 29.11.2016 passed in OA/050/00804/2015 passed by the Central Administrative Tribunal, Patna Bench, Patna.

The petitioner was a candidate for recruitment to the post of Inspector. The examination was conducted on 04.01.2010 and result was declared on 28.10.2010. The petitioner feeling aggrieved by the final result dated 28.10.2010 preferred OA before the Central Administrative Tribunal. The Central Administrative Tribunal after noticing the factual aspects and the fact that petitioner had obtained only 37 marks in Paper-III as against the qualifying marks was 40 out of 100, the same has been taken note of. Further, Tribunal has also noticed that grievance of the



petitioner was belated by five years. To that effect, MA Nos. 365 of 2015 and 366 of 2015 was filed and they were disposed off.

Perusal of the records it is evident that the OA filed before the Central Administrative Tribunal should have been rejected at threshold on the ground of delay and laches on the part of the petitioner. It is to be noted that time and again Courts have held that in the matter of appointment/promotion the person must approach judicial forum within a reasonable period of time of six months with reference to cause of action accrued to him/her. That apart, in para 4 of the Tribunal order it has taken note of the marks secured by the petitioner and the fact that he was not qualified to be selected for the purpose of Inspector post examination conducted on 04.01.2010 read with the result dated 28.10.2010.

In the light of these facts and circumstances, the petitioner has not made out a case. Accordingly, the present petition stands dismissed.

(P. B. Bajanthri, J)

(Rajiv Roy, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

