

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14457 of 2021

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Abu Nasar son of Abul Fatah resident of Village- Paranti, P.O.- Unsar, P.S.-
Bochahan, District- Muzaffarpur. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department,
Patna, Bihar.
2. The Principal Secretary, Education Department, Patna, Bihar.
3. The Director, Education Department, Bihar, Patna.
4. The Regional Deputy Director, Tirhut Division, Muzaffarpur.
5. The District Magistrate, Muzaffarpur.
6. The District Education Officer, Education Department, Muzaffarpur.
7. The District Program Officer, Saksharta, Education Department,
Muzaffarpur.
8. The Block Education Officer, Bochahan, Muzaffarpur... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Yugal Kishore, Adv.
For the Respondent/s : Mr.Prabhat Kishor, Adv.

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

ORAL ORDER

2 22-07-2022 Heard the parties through video conferencing.

The petitioner has prays as under:

“i. That this is an application for issuance of a writ in the nature of mandamus and or an appropriate writ directing the respondents to accept the joining of the petitioner as teacher for the post of Talimi Markaj Shiksha Swayang Sevi, in Primary School, Paranti, East, in Village- Paranti of Panchayat Raj Unsar, P.O. Unsar, Block- Bochahhan, District- Muzaffarpur, in pursuant to appointment letter issued by member of selection committee (Annexure-3) and direct the respondents not to disturb the petitioner from

discharging his duty without any reason and/or pass any other order/ orders, direction/ directions from which the petitioner is found legally entitled.”

It is his case that he was appointed as a Talimi Markaj Shiksha Swayang Sevi (volunteer teacher) in 2015 but was not allowed to join. The petitioner has filed the writ petition in the year 2021, after six years. Admittedly, he did not take up the matter before any forum. The delay is fatal in such cases where a person has never been allowed to join after alleged appointment and keeps silence for six years.

Considering the laches and delay on the part of the petitioner for not taking up recourse to any legal remedy, I am not inclined to interfere at this stage.

This writ petition is dismissed on the ground of gross delay and laches.

(Sanjeev Prakash Sharma, J)

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Item No. 21

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