

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11185 of 2024

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Ranjeet Kumar, Son of Late Pachu Mahto, Resident of Boudh Bihar Colony,
Sampatchak, P.S.- Agamkuan, District- Patna.

... .. Petitioner/s

Versus,

1. The State of Bihar through the law Secretary cum Legal Ramembrancer,
Government of Bihar, Patna.
2. The Law Secretary cum Legal Remembrancer, Government of Bihar, Patna.
3. The Registrar General, Patna High Court, Patna.
4. The District and Session Judge, through the Registrar Civil Court, West
Champaran at Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shivam, Advocate
For the State	:	Mr. K. P. Gupta, GP-10
		Mr. Satya Vrat, AC to GP-10
For the Patna High Court:		Mr. Satyabir Bharti, Advocate
		Ms. Kanupriya, Advocate
		Mr. Abhishekh Anand, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-07-2024 Initially, learned counsel for the petitioner submits

that inadvertently in the fourth line of paragraph 1(ii) of the

prayer portion “01.08.1989” has wrongly be typed as

“01.08.1983”.

2. As such, learned counsel for the petitioner is

permitted to make necessary correction in the prayer portion,

during course of the day.

3. Heard learned counsel for the petitioner and learned

counsel for the State as well as learned counsel for the Patna

High Court.



4. The petitioner has prayed for the following relief/s :-

“I. For issuance of writ in the nature of Certiorari for setting aside of order as contained by memo dated 25.02.2011 passed by learned District and Session Judge, Bettiah whereby and whereunder the claim of the petitioner has been found to be devoid of any merit and was thereby arbitrarily rejected.

II. For issuance of writ in the nature of Mandamus for directing the respondents to fix the salary of the petitioner in the correct pay scale that of clerk cum steno from the date of his appointment on the said post i.e from 05.03.1983 to 01.08.1989 and accordingly pay the arrears of salary to the petitioner.

III. For issuance of writ in the nature of Mandamus for directing the respondents to grant the benefit of First Time Bound Promotion to the petitioner after completion of 12 years of his service i.e from 1995 as well as for commanding the respondents to give the benefit of 2nd and 3rd ACP to the petitioner from appropriate dates after grant of First ACP (Time Bound Promotion) from the correct and appropriate date.

IV. For issuance of writ in the nature of Mandamus for directing the respondents to pay the arrears of salary to the petitioner accrued on account of change in pay scale as a consequential result of grant of the ACP benefits from appropriate dates.

V. For issuance of writ in the nature of Mandamus for commanding the respondents to pay the arrears accrued to the petitioner towards his retirement benefits as a consequential result of enhancement/change in



pay scale.

VI. For of any other incidental or consequential relief/reliefs to which the petitioner may be found entitled to considering the facts and circumstances of the present case including grant of promotion to the petitioner with effect from appropriate dates.”

5. Learned counsel for the petitioner fairly submits that he has moved before this Hon’ble Court twice. Firstly, he moved before this Hon’ble Court by filing CWJC No. 30 of 2007 which was disposed of vide order dated 21.04.2008 with a direction to the respondent to decide the representation of the petitioner within a period of three months from the date of receipt/production of a copy of this order. Secondly, he moved before this Court in CWJC No. 7567 of 2011 which was disposed of vide order dated 16.12.2015 whereby and whereunder liberty was granted to the petitioner to approach the Registrar General of Patna High Court by filing a representation for redressal of his grievances. Thereafter, the petitioner has filed representation for redressal of his grievances, but his grievances have not been redressed till date. Hence, the petitioner has filed the present writ for said relief.

6. Learned counsel for the respondent Nos. 3 and 4 submits that the petitioner has moved before this Hon’ble Court



after eight years from the date of cause of action for him as the Hon'ble High Court passed the order on 16.12.2015 but thereafter, he has neither filed any representation nor moved any MJC. Learned counsel further submits that in the writ petition pleading has been made that the representation is pending but his pleading has not been supported by any of the documents for which his pleading may accepted.

7. In the light of the submissions made by the parties, it transpires to this Court that the petitioner has filed the writ petition for setting aside the Memo dated 25.02.2011 passed by the learned District and Sessions Judge, Bettiah after about 13 years and hence, on the ground of delay and latches, this Court is not inclined to entertain the present writ petition.

8. Accordingly, the present writ petition stands dismissed.

(Dr. Anshuman, J)

Ashwini/-

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