

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.34 of 2023

In
Civil Writ Jurisdiction Case No.9522 of 2021

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Raj Kumar Yadav @ Raj Kumar S/o - Bounu Yadav @ Shree Bounu Prasad Yadav @ Kallar Yadav, Resident of Village-Ward No-16, Jagir, under gram Panchayat Paschimi Sahuriya, P.O. Dhamsena, P.S.- Sour Bazar, District-Saharsa.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Government of Bihar, Patna.
2. The Director General of Police, Bihar, Old Secretariat, Bihar, Patna.
3. The Deputy Inspector General of Police, Saharsa Range, Saharsa.
4. The Chairman through, Regional Board, Supaul.
5. The Superintendent of Police, Supaul

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Raja Surendra Mohan, Advocate
For the Respondent/s	:	Mr. P.K. Verma, AAG-3
		Dr. Anand Kumar, AC to AAG-3

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

5 24-06-2025 Heard the learned counsel for the parties.

2. The appellant has challenged the judgment dated 18.02.2022, passed by a learned Single Judge of this Court in CWJC No. 9522 of 2021, whereby he had sought a mandamus to the respondents to hold an inquiry/ investigation regarding the manner in which large scale irregularities has been committed in the selection process of



Constables which commenced in 1998 against the Advertisement No. 01 of 1998.

3. The learned Single Judge found the case to be hopelessly time barred and rightly so.

4. We also find that the learned Single Judge has taken note of the fact that the matter had travelled up to the Supreme Court in case of other writ petitioners and there were certain directions for a fresh process of selection and appointment pursuant to the Advertisement No. 01 of 1998.

5. The appellant herein was not a party in the proceeding before the Supreme Court.

6. No good ground also has been made out by the appellant in I.A. No. 1 of 2023 seeking condonation of delay of nine months and three days in preferring this appeal.

7. It need not be reiterated that the Supreme Court in *State of Jammu and Kashmir vs. R.K. Zalpuri : AIR 2016 SC 3006* has categorically held that under Article 226 of the Constitution of India, a Writ Court is duty bound to consider whether the person approaching the Court is guilty of unexplained delay and laches.



8. The appellant is not in a position to explain the delay.

9. I.A. No. 1 of 2023 stands rejected.

10. As noted above, even on merits, the appellant has no case.

11. The appeal is dismissed.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Rajesh/Saurabh

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