

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6045 of 2025**

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Nand Lal Singh Son of Late Ram Jatan Singh Resident of Village- Manpur  
(Gopal Pandey Road), Police Station- Buniyadganj in the district of Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Science and Technology Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Finance Department, Government of Bihar, Patna.
3. The Director, Science and Technology Department, Government of Bihar, Patna.
4. The Joint Secretary, Science and Technology Department, Government of Bihar, Patna.
5. The Special Secretary, Science and Technology Department, Government of Bihar, Patna.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary, Advocate  
For the State : Mr. Navnit Kumar, (AC to GP-18)

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      24-04-2025                      Heard Learned Counsel for the petitioner and Learned  
Counsel for the State.

2. The present writ petition has been filed for the  
following relief/s:-

*“I. For directing the respondents to give the  
petitioner benefit of Annual increments of pay  
with effect from 09.12.1986 from the date of  
takeover of the college as well as continuity in  
service for all the years including for the*



*period during which the petitioner was out of service on account of termination.*

*II. For commanding the respondent authorities to grant benefit of 1<sup>st</sup> and 2<sup>nd</sup> Assured Career Progression Scheme (in short ACP) with effect from 09.08.1999 on which the scheme came in force.*

*III. For any other relief or reliefs for which the petitioner may be deemed entitled.”*

3. Learned Counsel for the petitioner submits that the petitioner was appointed in the Private Engineering College on 23.03.1984 which was taken over by the State of Bihar by virtue of an ordinance namely, Private Engineering College (take over) Ordinance 1986 (Ordinance 37 of 1986) and the said ordinance was promulgated and published on 18.04.1987. Subsequently, in the year 1991 i.e. Bihar Private Engineering College (taken over) Act, 1991, the college of the petitioner was taken over w.e.f 09.12.1986 and employees of the engineering college were treated as ad-hoc employees under Clause 5(1) of the said ordinance. Counsel submits that the Screening Committee of the College recommended the name of the petitioner and other employees for regularization of their services w.e.f 31.01.1991. Counsel submits that some of the persons were terminated w.e.f. 31.01.1991 and thereafter, they moved before this Hon'ble



Court. Counsel further submits that the employees similarly situated as like that of the petitioner moved before this Hon'ble Court in Civil Writ Jurisdiction Case No.10680/2000 (Sanat Kumar Pandeya & Ors. Vs. The State of Bihar & Ors.) in which *vide* order dated 08.09.2006, matter was decided in favour of the persons similarly situated as like that of petitioner. Counsel submits that one other person moved before this Hon'ble Court in Civil Writ Jurisdiction Case No.17739/2014 which was allowed *vide* order dated 25.04.2018. Counsel submits that the petitioner has submitted his representation in the year 2017 and again in the year 2021 which is annexed as Annexure-P-2 & P-2/1.

4. Learned Counsel for the State submits that the cause of action for the petitioner has arisen in the year 2006 itself, but he has sat over the matter and in the year 2017, petitioner has filed a representation and not moved before this Court. But in the year 2025, petitioner moved before this Hon'ble Court for the first time i.e. after lapse of 19 years from the date of cause of action.

5. In the light of the submissions made, it is clear to this Court that the petitioner has moved before this Court for the first time after 19 years for getting his right. Hence, for such a



belated claim, this Court is not inclined to interfere in this matter. Accordingly, this writ petition stands dismissed.

**(Dr. Anshuman, J)**

Divyansh/-

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