

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.268 of 2022

In
Civil Writ Jurisdiction Case No.4547 of 2022

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Dr. Anand Verdhen Son of Late Brahmdev Singh Resident of Village-
Sadarpur, P.O.- Sadarpur (Amawan), P.S.- Bind, District- Nalanda.

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Patna University through its Vice Chancellor, Patna University, Patna.
3. The Registrar, Patna University, Patna.
4. The National Institute of Technology, Patna through its Director, National Institute of Technology, Patna.
5. The Registrar, National Institute of Technology, Patna.
6. The Head of Department (HoD) of Civil Engineering, National Institute of Technology, Patna.
7. The Secretary, Department of Higher Education, Ministry of Human Resources Development (Ministry of Education), Government of India, New Delhi.
8. The Secretary, Government of India, Ministry of Jal Shakti, Department of Water Resources, River Development, Ganga Rejuvenation, Sarv Shakti Bhawan, New Delhi.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Dr. Anand Verdhen In-person
For the State	:	Mr. Shashi Shekhar Tiwary AC to AAG-15
For the NIT	:	Mr. Y.V. Giri, Sr. Advocate Mr. S.K. Giri, Advocate
For the PU	:	Md. Nadim Seraj, Advocate

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL JUDGMENT

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

Date : 25-03-2025

Heard Dr. Anand Verdhen petitioner in-person, who was

heard at length on 04.02.2025, while passing the following



order:-

“Perusal of the relief sought in the writ petition by party in-person read with the order of learned Single Judge dated 12.04.2022 passed in C.W.J.C. No.4547 of 2022, the appellant- party in-person Mr. Dr. Anand Verdhen is unable to apprise this Court in respect of accepting his duty report and demanding posting after grant of leave without pay by the Director, CWRS, Patna University, Patna vide communication for the period from 25.10.2000 to 15.07.2004. Thereafter, appellant was required to report back to duty before the Director, CWRS, Patna University, Patna on 16.07.2004 and seek posting. In this regard there is no material information as is evident from the writ records. On the other hand appellant has opened his eyes in respect of his grievance only on 23.07.2015. Therefore, appellant is hereby directed to file additional correspondence materials between him and the Director, CWRS, Patna University, Patna during the intervening period from 16.07.2004 to 23.07.2015, if he fails to furnish material information, in that event we are compelled to affirm the order of learned Single Judge dated 12.04.2022 passed in C.W.J.C. No.4547 of 2022. 2. Re-list this matter on 04.03.2025.”

2. He has filed supplementary affidavit on 03.03.2025 along with Annexure-P/18 to P/35. Upto Annexure-P/26 is prior to 16.07.2004. Annnexure-P/29 onwards is relating to 29.05.2006, 07.08.2006, 08.06.2007, 06.02.2010, 09.01.2022, 05.05.2015 and 06.07.2021.

3. From perusal of these records, it is evident that the grievance of the petitioner is a stale claim, which cannot be adjudicated on the sole ground of delay and laches. The Hon’ble



Supreme Court in the case of *State of Jammu and Kashmir Versus R.K. Zalpuri*, reported in *AIR 2016 Supreme Court 3006*, in paragraph-20, has held as under:

“20. Having stated thus, it is useful to refer to a passage from City and Industrial Development Corporation v. Dosu Aardeshir Bhiwandiwalla and Others, wherein this Court while dwelling upon jurisdiction under Article 226 of the Constitution, has expressed thus:-

“The Court while exercising its jurisdiction under Article 226 is duty-bound to consider whether:

(a) adjudication of writ petition involves any complex and disputed questions of facts and whether they can be satisfactorily resolved;

(b) the petition reveals all material facts;

(c) the petitioner has any alternative or effective remedy for the resolution of the dispute;

(d) person invoking the jurisdiction is guilty of unexplained delay and laches;

(e) ex facie barred by any laws of limitation;

(f) grant of relief is against public policy or barred by any valid law; and host of other factors.”

(underline supplied)

One of the principle laid down in the aforesaid judgment is that the writ court is required to examine the delay and laches. Rightly, the learned Single Judge has taken note of the delay and laches as well as cause of action accrued 16 to 17 years back.

4. In the light of these facts and circumstances, the petitioner in-person Dr. Anand Verdhien has not made out a case



so as to interfere with the order of the learned Single Judge dated 12.04.2022.

5. Accordingly the LPA stands dismissed, while affirming the order of the learned Single Judge dated 12.04.2022 passed in CWJC No. 4547 of 2022.

6. Pending I.A., if any, stands disposed of.

(P. B. Bajanthri, J)

(Alok Kumar Sinha, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.03.2025
Transmission Date	NA

