

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.384 of 2022

In
Civil Writ Jurisdiction Case No.10375 of 2014

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Anju Kumari Wife of Sri Jitendra Ram, Resident of Village and Post Office-
Sakhua, Police Station- Udwantnagar, District- Bhojpur at Ara.

... .. Appellant/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Human Resource Development Department
Government of Bihar, Patna.
3. The Member District Teacher Employment Appellate Tribunal, Bhojpur at
Ara.
4. The District Magistrate, Bhojpur at Ara.
5. The District Education Officer, Bhojpur at Ara.
6. The District Programme Officer (Account and Scheme)-cum- Incharge
Officer Jan Shikayat Koshang, Bhojpur.
7. The Block Development Officer, Jagdishpur, Bhojpur.
8. The Block Education Officer, Jagdishpur, Bhojpur.
9. The Panchayat Secretary, Gram Panchayat Raj Bichala Jangal Mahal, Block-
Jagdishpur, District- Bhojpur.
10. The Mukhiya, Gram Panchayat Raj Bichala Jangal Mahal, Block-
Jagdishpur, District- Bhojpur.
11. Sujata Prasad, Wife of Sachindar Prasad, resident of Village and Post Office-
Tenduni, P.S.- Jagdishpur, District- Bhojpur.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Umesh Kumar Mishra, Advocate.
For the Respondent/s : Mr. Ram Vinay Prasad Singh, AC to GA-12.

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and

HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

6 14-02-2025

Re:-I.A. No.1 of 2022

Appellant – Anju Kumari has assailed the order of
learned Single Judge dated 09.12.2016 passed in C.W.J.C.



No.10375 of 2014. It is a short order which reads as under:-

“Writ is dismissed on the ground that a 2008 appointment on the post of Panchayat Teacher cannot be looked into now at such belated stage especially when the whole process and procedure has undergone a change including eligibility. No relief can accrue to the petitioner under the above circumstances.

Writ is dismissed.”

2. In the light of aforementioned order of the learned Single Judge, appellant had remedy of filing L.P.A. on or before 08.01.2017 whereas the present L.P.A. has been presented on 04.08.2022. Delay has not been explained except there is a lack of communication. Day to day delay has not been explained as is evident from paragraph nos.5 to 8 of the I.A. No.1 of 2022. Therefore, the present L.P.A. is hopelessly barred by limitation. Hon'ble Supreme Court in the case of **H. Guruswamy & Ors. vs. A. Krishnalah** reported in **2025 SCC OnLine SC 54** elaborately considered delay and laches in respect of filing belated litigation.

3. Taking note of the principle laid in the case of H. Guruswamy (supra) the appellant has not made out a case so as to condone the delay of 2028 days in filing L.P.A. No.384 of 2022. Accordingly, I.A. No.1 of 2022 stands dismissed.



Re:-L.P.A. No.85 of 2022

4. Resultantly, L.P.A. No.384 of 2022 stands dismissed.

5. Pending I.A.(s), if any, stands disposed of.

(P. B. Bajanthri, J)

(Sunil Dutta Mishra, J)

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