

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.391 of 2022

In

Civil Writ Jurisdiction Case No.10541 of 2020

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Md. Israfil, Son of Md. Jahir, Resident of Village - Siuri, P.S. - Cheriya
Bariyarpur, District - Begusarai.

... .. Appellant.

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Jan Siksha, Department of Education, Government of Bihar.
3. The State Programme Officer, Bihar Education Project Council, Shiksha Bhawan, Rashtrabhasha Parishad, Saidpur, Rajendra Nagar, Patna - 4.
4. The District Magistrate, Begusarai.
5. The District Education Officer, Begusarai.
6. The District Program Officer, Primary Education and Literacy, Begusarai.
7. The Block Education Officer, Manjhaul, Begusarai.
8. The Headmaster, Urdu Primary School, Seuri, Cheria Bariyarpur, Block Majhaul, Begusarai.
9. The President, Talimi Markaj, Urdu Primary School, Seori, Cheriya Bariyarpur, Manjhaul, Begusarai.
10. The Secretary, Talimi Markaj, Urdu Primary School, Seori, Cheriya Bariyarpur, Manjhaul, Begusarai.

... .. Respondents.

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Appearance :

For the Appellant : Mr. Manoj Kumar Singh, Advocate.

For the State : Mr. AAG-13.

For the Respondent Nos.8, 9 and 10: Mr. Deepak Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL JUDGMENT

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

Date : 23-07-2025

The appellant has assailed the order of the learned
Single Judge dated 29.03.2022 passed in C.W.J.C. No.10541 of
2020.

2. Appellant is stated to have been appointed as a
Swayam Sewak in the year 2009 and his services have been
dispensed in the year 2012 itself, whereas he has approached



this Court in the year 2020 in filing C.W.J.C. No.10541 of 2020.

3. The learned Single Judge has proceeded to dismiss the petition (C.W.J.C. No.10541 of 2020) on merits while recording that appellant-Swayam Sewak has no vested or accrued right to continue to hold the post of Swayam Sewak in the absence of any statutory provision of law. In other words, it is a stop gap arrangement/adhoc arrangement.

4. Be that as it may, the appellant had cause of action in filing writ petition (C.W.J.C. No.10541 of 2020) in the year 2012, whereas he has approached this Court in the year 2020. There is a delay and laches for about 8 years with reference to cause of action accrued in the year 2012. Even on this count, the appellant has not made out a case so as to interfere with the order of the learned Single Judge dated 29.03.2022 passed in C.W.J.C. No.10541 of 2020.

5. Accordingly, the present L.P.A. No.391 of 2022 stands dismissed. Pending Interlocutory Application(s), if any, stands disposed of.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

P.S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.07.2025.
Transmission Date	NA

