

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.474 of 2022

In
Civil Writ Jurisdiction Case No.7900 of 2021

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Shanti Devi @ Shanti Kumari @ Santi Devi W/o- Ram Vijay Singh@Vijay Yadav, Resident of Village- Dhindhaur Bigha, Police Station- Belaganj, District- Gaya.

... .. Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Social Welfare Department, Patna.
2. The Divisional Commissioner Magadh Commissionerary Gaya.
3. The District Magistrate, Gaya.
4. The District Program Officer, Gaya.
5. The Block Development Officer, Belaganj, Gaya.
6. The CDPO Belaganj, Gaya.
7. Sri Suresh Yadav, the then Mukhiya cum- Chairman of the Aam Savbha dated 18.06.2003, Dhindhaur Bigha, Bajitpur Panchayat, Belganj, Gaya.
8. Ranju Kumari Sinha, wife of Santosh Kumar, resident of Village- Dhindhaur Bigha, Police Station- Belaganj, District- Gaya.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajesh Kumar, Advocate
For the Respondent/s : Mr. Gyan Prakash Ojha, GA-7

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 07-04-2025

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

Mr. Rajesh Kumar, the learned Advocate for the

appellant/applicant presses the afore-noted interlocutory

application for condoning the delay of 164 days in



preferring this appeal.

2. For the reasons stated in the application, the delay of 164 days in preferring this appeal is condoned.

3. I.A. No. 1 of 2022 stands allowed.

Re.- LPA No. 474 of 2022:

4. We have heard Mr. Rajesh Kumar, the learned Advocate for the appellant/applicant and the learned Advocate for the State.

5. The appellant/writ petitioner has challenged the appointment of Respondent no. 8 as *Aganwari Sevika*, which appointment took place sometimes in the year 2003. The challenge was made in the year 2022.

6. Considering the case to be hopelessly barred by time, the learned Single Judge did not entertain the petition.

7. The Supreme Court in ***State of Jammu and Kashmir vs R.K. Zalpuri and Ors; AIR 2016 SC 3006*** has clearly held that a Court while exercising its jurisdiction under Article 226 of the Constitution of India



could dismiss a petition by a person who invokes the jurisdiction after unexplained delay and laches.

8. For the delay of approximately 20 years in agitating against the matter, the learned Single Judge rightly refused to entertain the petition.

9. We do not hold any different view.

10. The appeal is without merits.

11. The appeal stands dismissed.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

manoj/rajesh-

AFR/NAFR	NARF
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