

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19675 of 2025

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Mahendra Jha Son of Ramswarh Jha, Resident of Village- Ramnagar,
Lachchuman Nagar, P.S.- Sakra, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Secretary Education Department,
Government of Bihar, Patna.
2. The Director Primary Education, Govt. of Bihar, Patna.
3. The District Magistrate, Muzaffarpur.
4. The D.D.C., Muzaffarpur.
5. The District Superintendent of Education, Muzaffarpur.
6. The District Education Officer, Muzaffarpur.
7. The Block Development Officer Sakra, Muzaffarpur.
8. The Block Education Officer, Sakra, Gram Panchayat Raj Bishunpur
Baghnagari, Muzaffarpur.
9. The Mukhia Raj Bishunpur, Baghnagri Sakra, Muzaffarpur.
10. The Panchayat Secretary Gram Panchayat Raj Bishunpur, Baghnagri, Sakra,
Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Singh, Adv.
For the Respondent/s : Mr. Rakesh Ranjan, AC to GP-22

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 09-12-2025 Heard the parties.

2. It is a celebrated maxim that equity aids the vigilant
and not those who slumber on the rights. In the case at hand, the
petitioner has challenged the Letter No. 2 dated 21.02.2008,
issued by the Employment Unit Raj Bishunpur, Panchayat
Baghnagri Sakra Muzaffarpur, by which the services of the
petitioner came to be terminated based upon certain grounds of
interpolation in his date of birth.



3. Learned Advocate for the petitioner submitted that the grounds, so mentioned, leading to termination of the services of the petitioner is unfounded, inasmuch as, it is the stand of the petitioner right from the beginning his date of birth is 05.09.1972, however, the employment unit has wrongly treated the date of birth as 05.09.1977, hence, the impugned order is not sustainable in the law as well as on facts.

4. Learned Advocate for the State vehemently refuted the contention of the petitioner and submitted that admittedly, the services of the petitioner came to be terminated in the year 2008 on the ground of admitted interpolation in his date of birth, as is evident from the impugned order and now he has approached this Court after a delay of seventeen years and for this score alone, the writ petition is fit to be dismissed on the grounds of delay and laches.

5. Having considered the submissions advanced, this Court finds substance in the submissions of the learned Advocate for the State.

6. Suffice it to observe that the Apex Court, time and again cautioned the Courts while exercising the discretionary writ jurisdiction to entertain a stale matter. In the case of ***P. S. Sadasivaswamy Vs. State of Tamil Nadu, (1975) 1 SCC 152,***



the Court has observed that in service matters/promotion matters, an aggrieved person should approach the Court at least within six months or at the most an year of arising of a cause of action.

7. In the case at hand, the petitioner has approached the Court after seventeen years and, as such, this Court does not find any reason or occasion to entertain the present writ petition. Accordingly, the same stands dismissed on account of delay and laches.

(Harish Kumar, J)

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