

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2649 of 2026

Pranav Kumar Son of Sri Akhileshwar Mishra, resident of Village-Pipra, PO-
Jay Govind Nagar, PS-Jamhore, Distrit-Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary cum Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Chairman, Bihar Public Service Commission, Patna, Bihar.
3. The District Education Officer, Darbhanga.
4. The District Programme Officer (Est), Darbhanga.
5. The Block Development Officer, Block Kusheswarsthan, District-Darbhangha (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Anirudh Kumar Verma, Adv.
For the Respondent/s	:	Mr. S.D. Yadav, AAG-9
		Mr. Sanjay Pandey, Adv.
		Mr. Nishant Kumar Jha, Adv.
		Mr. Prabhakar Pahepuri, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 13-03-2026 Heard learned counsel for the petitioner, learned
counsel appearing for respondent-State and learned counsel
appearing for BPSC.

2. The petitioner in the present writ application has
prayed for the grant of following reliefs:

*“1. That this petition is being filed
in the nature of mandamus commanding and
directing upon the concerned respondents
particularly the respondent no. 4 to permit*



the petitioner to participate in the counselling/selection forthwith treating him at par with similarly situated candidate for 1 phase for primary teacher 2019 to direct the respondent to correct the illegality committed in excluding the petitioner in the same manner as corrected in other phases of the recruitment by restraining the respondents from filling up vacant post without considering the petitioner.”

3. The petitioner submits that the petitioner had applied for the post of teacher for VI phase for Primary Teacher, 2019 under the District-Darbhanga and in the merit list his serial number was 3364 vide application no.1572. He further submits that the date of counseling was scheduled to be held on 09.08.2021 from 11:00 AM to 04:30 PM. The name of the petitioner found place at Serial No.13.

4. Learned counsel for the petitioner further contends that the petitioner had come to the counseling center on time at 11:00 AM on 09.08.2021, but the petitioner was not allowed to participate in the counseling. In this regard, it is contended that the petitioner had filed an objection on 10.08.2021 (Annexure-P/2), which was followed by several representations which have been brought on record by way of Annexure-P/3 Series.



5. Learned counsel appearing for respondent-State and BPSC have jointly raised an objection with regard to the maintainability of the present writ application on the ground that the cause of action had arisen to the petitioner immediately after 09-08-2021, but the petitioner has chosen to file this writ application on 13.02.2026 after inordinate delay, for which there is no explanation given in the writ application. It is, therefore, contended that the writ application deserves to be dismissed on account of delay and laches.

6. To the aforesaid objection raised by the respondent-State and BPSC, learned counsel for the petitioner submits that on the very next day of counseling i.e. on 10.08.2021 the petitioner had filed an objection (Annexure-P/2), but on careful perusal of the said document, it is apparent that it does not bear the receiving of any authority. It, therefore, cannot be ruled out that this document has been manufactured for the purpose of this case. Even the subsequent so-called representation dated 23.08.2024 (Annexure-3 Series), which has been brought on record does not bear the receiving signature of any authority and hence does not inspire confidence as to whether this representation were ever submitted before the authority.

7. From the facts and circumstances stated above, it is



apparent that this writ application has been filed after inordinate delay and there is no sufficient explanation given in the writ application. Writ application is therefore, dismissed on account of delay and laches.

(Alok Kumar Sinha, J)

Prakash Narayan

