

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4716 of 2020

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Balkeshwar Prasad, S/o Sakal Deep Prasad, Resident of Village-
Mahmoodchak, P.O. and P.S. - Nayagaon, District- Saran at (Chapra).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Principal Secretary, Panchayati Raj Department, Government of Bihar,
Patna.
3. Director, Panchayati Raj Department, Government of Bihar, Patna.
4. Commissioner, Saran Division, Chapra.
5. District Magistrate, Saran at Chapra.
6. District Panchayati Raj Officer, Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shanti Pratap, Adv.
For the Respondent/s : Mr. P.N.Shahi, A.A.G.-6
Mr. Sanjeet Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

5 25-06-2026 Heard Mr. Shanti Pratap, learned Advocate for the

petitioner and Mr. Sanjeet Kumar Singh, learned Advocate for

the State.

2. The petitioner was initially appointed as Dalpati in
the year 1983 and subsequently in pursuant to the order of this
Court in CWJC No. 10813 of 1995 as also the order passed in
Civil Review No. 10 of 1996 he was duly appointed as
Panchayat Sevak on 11.03.1997 and joined the duty accordingly
on 11.03.1997 in the block of Masrakh, Saran. After rendering
satisfactory service, finally the petitioner superannuated on



31.01.2014 as Panchayat Sevak from Dariyapur Block, District-Saran.

The grievance of the petitioner is that, despite the petitioner having all the requisite qualification for the appointment to the post of Panchayat Sevak, he was appointed belatedly in pursuant to the order of this Court, whereas the persons junior to the petitioner were appointed much prior to the petitioner and, thus he approached this Court by filing the present writ petition seeking a direction to consider the case of the petitioner for appointment to the post of Panchayat Sevak with effect from the date when the process for his appointment was completed and similarly situated as also juniors to the petitioner were appointed.

Learned Advocate for the State vehemently submitted that the petitioner has approached this Court after six years of his superannuation for consideration of his case of appointment with effect from the date when his juniors were appointed and, as such, completely barred by delay and laches as it is not a continuing cause of action.

Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the fact that the petitioner was duly appointed as a Panchayat



Sachiv long back in the year 1997 and he has submitted his joining without any protest and after rendering more than seventeen years, he superannuated in the year 2014 and the present writ petition has been filed almost a delay of twenty-three years. Accordingly this Court finds that the petitioner, who was sleeping over his right for a decade and two in no circumstance is entitled to get any relief.

Accordingly, the present writ petition stands dismissed on account of serious delay and latches.

(Harish Kumar, J)

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