

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3281 of 2026**

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1. Umesh Kumar Son of late Kameshwar Singh, Resident of village Ibrahimpur Nagwan Khas, P.S. Naubatpur, District Patna PIN 801109.
  2. Dhairya Prakash, Son of Late Ram Nanhak Ram, Resident of village Gop Nuaon, P.O. Central Jail, Buxar, P.S.- Buxar, District Buxar 802102.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Finance Department, Govt. of Bihar, Patna.
2. The High Court of Judicature at Patna through its Registrar General, Patna.
3. The District Judge, Buxar at Buxar.
4. The Judge In-charge, Accounts Section, Buxar Civil Court, Buxar.
5. The District Accounts Officer, Buxar at Buxar.
6. The Principal Accountant General, Bihar, Patna.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Dr. Mayanand Jha, Sr. Advocate<br>Mr. Giridhar Gopal Tiwary, Advocate |
| For the State        | : | Mr. Rajesh Kumar, AC to GP- 3                                         |
| For the High Court   | : | Mr. Piyush Lall, Advocate                                             |
| For the AG           | : | Ms. Ritika Rani, Advocate                                             |

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      10-03-2026                      Heard learned Senior counsel for the petitioners and  
  
learned counsel for the respondents.

2. The petitioners have filed the instant application for  
the following relief:

*“1. That this is an application for  
issuance of an appropriate writ / order /  
direction, commanding the Respondents to  
grant increment to the petitioners with effect  
from 1<sup>st</sup> January of the Year (in place of 1<sup>st</sup>  
July) with effect from 1.1.2016 in terms of*



*the provisions contained in clause 9 of the Govt. of Bihar, Finance Department Resolution No.3A-2Ve. Pu.-09/2016-3590/F dt.24<sup>th</sup> May 2017 (7<sup>th</sup> Pay Revision) with consequential benefits like payment of the arrears of salary difference owing to shift of date of increment and benefit thereof in pensionary benefits.”*

3. On perusal of the contents of the writ petition, it transpires that the petitioners joined service on 29.3.1985 and 26.3.1985 respectively. Having superannuated from service six years back on 31.1.2020, the petitioners have filed the instant application for the relief as stated herein above.

4. On being confronted with the delay and laches in moving this Court under the writ jurisdiction, learned Senior counsel appearing for the petitioners refers to paragraph no. 12 of the petition to submit that even after retirement, the petitioners kept on requesting the Judge In-charge to rectify the date of increment of the petitioners but despite oral assurances, nothing was done and the Judge In-charge also kept on changing after implementation of the pay scale under 7<sup>th</sup> PRC.

5. It may only be observed here that even this statement as noted above is without any supporting documents and further as held in the case of ***Surjeet Singh Sahni vs. State***



*of U.P. and Ors.; (2022) 15 SCC 536*, filing of representation does not extend the period of limitation. The Hon’ble Supreme Court has held that the petitioner has to approach the Court within a reasonable time.

6. In the opinion of the Court, the case is fit to be rejected on the ground of delay and laches alone.

7. The application is dismissed.

**(Partha Sarthy, J)**

saauravkrsinha/-

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