

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4893 of 2026

Sushil Kumar Gupta, Son of Sri Chandra Bhan Prasad, Resident of Flat No.-
305 B, Shivam Enclave, Mohalla- West Boring Canal Road, Behind New
Aditya Vision, P.S.-Sri Krishna Puri, District-Patna (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through The Chief Secretary, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Law Department, Govt. of Bihar, Patna.
3. The Additional Chief Secretary, Finance Department, Govt. of Bihar, Patna.
4. The Principle District and Sessions Judge, Patna.
5. Registrar -cum- Judge in Charge, Accounts Civil Court, Patna, Patna.
6. The District Accounts Officer, Patna.
7. The Accountant General (A and E), Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner	:	Ms. Asha Verma, Advocate Mr. Manish Kumar, Advocate
For the State	:	Additional Advocate General-4
For the Acct. General	:	Mr. Binod Kumar Labh, Advocate
For the Resp. Nos. 4&5	:	Mr. Piyush Lall, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-04-2026 Heard learned counsel for the petitioner and learned
counsel for the respondent nos.4 and 5.

2. The petitioner has filed the instant application for
the following reliefs :-

*“i) To grant and making appropriate
payment by Pay-Band-3 Grade Pay Rs. 5,400/-
to the ‘Stenographer’ under the Judgeship of
District Civil Court, Patna for which petitioner
is legally entitled in accordance with law.*

*ii) Further for issuance of a direction
to the concerned Respondents to calculate and
pay the entire dues amount from the date which*



is legally payable to the petitioner as “Stenographer” of Patna Judgeship entitled in comparison with the payments, which has been made to the persons working in the capacity of Clerk of Grader-I having Pay Band-3 Grade Pay 5400/- under the District Judge, Civil Court, Patna

iii) For grant to any other relief or reliefs for which the petitioner is entitled to.”

3. The case of the petitioner in brief is that he was appointed on the post of Stenographer on 1.4.1980 and retired from service on 31.7.2016.

4. By order dated 13.6.2007, he got the 1st ACP with effect from 9.8.1989 as also the 2nd MACP with effect from 1.8.2004. He further got the 3rd MACP by order dated 2.3.2012 with effect from 1.4.2010.

5. Learned counsel for the petitioner submits that the petitioner should be given payment in Pay Band-3, Grade Pay 5400/- to which he is legally entitled with effect from 13.4.2012.

6. At the outset, learned counsel appearing for the respondents raises an objection with respect to delay in filing of the writ application which has been filed more than 12 years from the date the petitioner claims his entitlement, on 31.3.2026.

7. In response, it is submitted by learned counsel for



the petitioner that the petitioner has regularly been representing before the respondent authorities and in evidence thereof, attention of the Court is brought to the representation dated 13.4.2012 (Annexure-P/1) as also dated 19.12.2025 (Annexure-P/1A).

8. The Hon'ble Supreme Court in the case of **Surjeet Singh Sahni vs. State of Uttar Pradesh & Ors.; (2022) 15 SCC 536** has held that representation does not extend the limitation and the person affected has to approach the Court within a reasonable time.

9. In view of the facts and circumstances stated herein above, the Court finds substance in the objection raised by the respondents. The reliefs sought for in the writ application having been moved 14 years after the cause of action arose and almost more than a decade after the petitioner retired from service, the application is fit to be dismissed on the ground of delay and laches.

10. The application is dismissed.

(Partha Sarthy, J)

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