

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8054 of 2026

Abhishek Anand son of Brajbihari Singh, resident of village - Machhargawan,
Police Station-Yogipatti, District- West Champaran.

... .. Petitioner/s

Versus

1. The Honble High Court of Judicature at Patna through Registrar General High Court Patna.
2. Registrar General, High Court, Patna.
3. The Centralized Committee, High Court, Patna through the Registrar General as Member Secretary of the Centralized Committee, High Court, Patna.
4. Members of the Or-ordination Committee, Bihar, Patna through the Convener, Co-ordination Committee, Civil Court, Patna.
5. Krishna Kant Tripathi, District and Sessions Judge, Patna - Cum - the Convenor, Co-ordination Committee, Civil Court, Patna.
6. The Registrar (Administrative), High Court, Patna.
7. The State of Bihar through the Law Secretary, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner : Mr. Prerna Anand, Advocate
For the State : Mr. S.C.18

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL JUDGMENT

Date : 22-06-2026

Heard the learned counsel for the petitioner, the learned counsel for the Patna High Court and the learned counsel appearing on behalf of the State.

2. The present writ petition has been filed for the following reliefs:

“1. That this is an application for issuance of an appropriate writ and / or order and/ or direction commanding the respondents to consider the case of the petitioner for appointment to the post of clerk (Adv. No. 01 of 2016) in different District Courts of State of Bihar in terms of the order dated



19.04.2023 passed in L.P.A. No. 650 of 2022, L.P.A. No.661 of 2022 and L.P.A. No.657 of 2022 by Hon'ble Mr. Justice P.B. Bajanthri and Hon'ble Mr. Justice Arun Kumar Jha as well as order dated 03.11.2025 passed by Hon'ble Mr. Justice Harish Kumar in C.W.J.C. No.20259 of 2018 and analogous cases.”

3. The learned counsel for the Patna High Court submits that similar matter came for consideration before this Hon'ble Court vide C.W.J.C. No.17749 of 2023. This Hon'ble Court vide its judgment dated 26.02.2026, passed in C.W.J.C. No.17749 of 2023 after considering the Division Bench judgment of this Hon'ble Court dated 19.04.2023, passed in L.P.A. No. 650 of 2022, L.P.A. No.661 of 2022 and L.P.A. No.657 of 2022, proceeded to dismiss the writ petition by recording in paragraph no.20, which is being quoted hereinbelow:

“20. It is well settled law that delay disentitle the party discretionary relief under article 226 of the Constitution of India, therefore, the litigant who was sitting on fence and waiting for the result of the litigation initiated by other litigants promptly and only after a favourable result, has approached the Court to seek equality, should not be encouraged/entertained.”

4. Having gone through the judgment dated 26.02.2026, passed in C.W.J.C. No.17749 of 2023, it appears that this Court proceeded to reject the writ petition. Further, the learned counsel appearing on behalf of the Patna High Court has relied



upon a judgment of the Hon’ble Division Bench of this Court dated 24.03.2026, passed in L.P.A. No.891 of 2025 (The Patna High Court & Ors. vs. Chandan Kumar & Ors.), wherein the Hon’ble Division Bench, after considering the earlier Division Bench judgment dated 19.04.2023, passed in L.P.A. No.650 of 2022 and other cases, proceeded to allow the appeal filed by the Patna High Court against the order passed in C.W.J.C. No.10521 of 2022.

5. Having considered the above referred judgments of this Court and the Hon’ble Division Bench, passed in L.P.A. No.891 of 2025, this Court is of the opinion that the petitioner being a fence sitter cannot take benefit of an order passed in the case of a person/persons who was/were more vigilant of his/their cause and had/have moved this Hon’ble Court within a reasonable time frame/period.

6. Accordingly, the present writ petition is dismissed having got no merit.

(Ritesh Kumar, J.)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.06.2026
Transmission Date	NA

