

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12067 of 2017

=====

Dharmendra Kumar Roy Son of Chandra Bhushan Roy, Resident of Village-
Khanwan, Police Station- Narhat, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Education, Govt. of Bihar, Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna.
4. The District Magistrate, Nawada.
5. The Member District Teachers Employment Appellate Tribunal, Nawada.
6. The District Education Officer, Nawada.
7. The Block Development Officer, Akbarpur, District- Nawada.
8. The Block Education Officer, Akbarpur, District- Nawada.
9. The Mukhia, Gram Panchayat Raj, Makhar, Block- Akbarpur, District-
Nawada.
10. Panchayat Sachiv, Gram Panchayat Raj, Makhar, Block- Akbarpur, District-
Nawada.
11. Vinay Kumar, Son of Sri Mohan Prasad, Resident of Village- Shekhbara,
P.S.- Meskaur, District- Nawada.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Vibhuti Ranjan Sonvadra, Adv.
For the Respondent/s	:	Mr. S.K. Thakur, Adv.
		Mr. P.K. Verma, Adv.
		Ms. Priyam Kumari, Adv.
For the State	:	Mr. S.S. Tiwari, AC to AAG-15

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

6 09-01-2026 Heard learned counsel for the petitioner, learned

counsel appearing for the respondent no. 11 and learned counsel

appearing for the Respondent/State.

2. The petitioner in the present writ application has

prayed for grant of the following reliefs:-

“(i) For issuance of an



appropriate writ in the nature of a writ of Certiorary for setting aside the appointment of Private Respondent no. 11, who has been appointed on the post of Panchayat Teacher in Makhar Panchayat in Akbarpur Block in Nawada District in 2nd Phase of Bihar Panchayat Teacher appointment Rules, 2008 as his appointment is illegal and arbitrary and the same was done with the collusion of Panchayat Secretary as well as Mukhiya of the said Panchayat on the basis of the forged physically handicapped certificate of the private Respondent no. 11.

(ii) For issuance of a writ in the nature of Mandamus commanding and directing upon the respondents concerned to appoint the petitioner on the post of Panchayat Teacher in Makhar Panchayat in Akbarpur Block in the District of Nawada, as the petitioner was not appointed inspite of having better marks and qualification than the private Respondent no. 11.

(iii) Any other relief or reliefs for which the petitioner is found entitled to in the facts and circumstances of the case.”

3. From the careful perusal of the averments made in the writ application as well as of the averments made in various other affidavits filed by the respondents parties, the admitted position which emerges is that the petitioner is challenging the appointment of respondent no. 11 as Panchayat Teacher, which



was made on 30.02.2010. This writ application has been filed on 21.08.2017, after nearly seven years of the appointment of respondent no. 11.

4. The question that emerges for consideration is whether the petitioner can be allowed to challenge the appointment after nearly seven years without offering any cogent explanation for the delay in approaching this Court.

5. From the careful perusal of the pleadings contained in the writ petition, I do not find that the petitioner has explained the delay. Another aspect which cannot be lost sight off is that the petitioner not only approached this Court belatedly, but also without availing the statutory alternative remedy of filing a case before the District Teachers Employment Appellate Authority, Nawada.

6. Under the aforesaid facts and circumstances, I am not inclined to entertain this writ application, which has been filed after inordinate delay without any cogent explanation and hence, the writ application is dismissed for delay and laches.

(Alok Kumar Sinha, J)

pravinkumar/-

U			
---	--	--	--

