

IN THE HIGH COURT OF JHARKHAND AT RANCHI**W.P. (S) No. 3660 of 2018**

1. Sanjeev Kumar, aged about 47 years, S/o Prasad Mandal, resident of village Digghi, P.O. Digghi Simanpur, P.S. Mehrama, Dist. Godda.
2. Bhabani Mishra, aged about 48 years, W/o Chitranjan Mishra, resident of village - Budhasan, P.O. Budhasan, P.S. Mehrama, Dist. Godda.
3. Anil Kumar Gupta, aged about 53 years, S/o Mukhlal Gupta, resident of village - Tularam Bhuska, P.O. Tularam Bhuska, P.S. Mehrama, Dist. Godda.
4. Rajiv Kumar, aged about 32 years, S/o Surendra Sah, resident of village - Surni, P.O. Surni, P.S. Mehrama, Dist. Godda.
5. Md. Akram, aged about 34 years, S/o Md. Aslam, resident of village-Fajilkhutahari, P.O. Sukhari, P.S. Mehrama, Dist. Godda.
6. Nawal Kumar Singh, aged about 27 years, S/o - Surendra Singh, resident of village Jaggankitta, P.O. Gajhanda, P.S. Balbadda, Dist. Godda.
7. Bijay Shankar Bhagat, aged about 55 years, S/o Late Hiralal Bhagat, resident of village Lohchinta, P.O. Madhura, P.S. Lalmatiya, Dist. Godda.

....Petitioner(s)

Versus

1. The State of Jharkhand
2. Principal Secretary, School Education Department, having its office at MDI Building, Project Bhawan, P.O. & P.S. Dhurwa, Dist. Ranchi.
3. Deputy Commissioner, Godda, P.O. & P.S. & Dist. Godda.
4. District Superintendent of Education, Godda, P.O. & P.S. & Dist. Godda.
5. Block Education Extension Officer, Mehrama, P.O. & P.S. Mehrama, Dist. Godda.

....Respondent(s)**CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN**

For the Petitioner(s) : Mr. Rakesh Ranjan, Advocate

For the Respondent(s) : Mrs. Sweta Shukla, A.C. to AAG-II

12/Dated:-10.06.2026

1. Heard learned counsel for the parties.
2. The instant writ application has been preferred by the petitioners praying therein for a direction upon the respondent authorities to pay arrear of honorarium which is due to the petitioners for the period from February, 2009 till March, 2012.

3. A counter affidavit has been filed, though with much delay, wherein it has been specifically stated in para 10 and 11 which is extracted as under:

“10. That with regard to the statement made in Para-9 to 13 of the writ petition, it is stated and submitted that regarding the payment of honorarium to para teachers, there is a provision to pay the honorarium for the working period as per the rules from the date of duly selection by the Village Education committee through the general assembly and approval by the Block Education Committee, on the basis the date of actual approval is 21.04.2012, the honorarium payment to the petitioners is being made on the basis of their attendance, since the Block Education Committee, Meharna did not approve the selection of the concerned para teachers before the date of actual approval 21.04.2012, the claim for payment of honorarium is contrary to the departmental provision, which cannot be approved.

11. That with regard to the statement made in Para-14 & 15 of the writ petition, it is stated and submitted that the petitioners representation attached in the writ application were perused. That in the light of claim being made by the petitioners, it is clear from the investigation report letter no.-55, dated 08.02.2024 of Block Education Extension Officer, Meharna, that the actual approval on the post of para teacher by the Gram Sabha was made by the Block Education Committee, Meharna on dated 21.04.2012 has been formally approved and that honorarium is being paid from the date of actual approval 21.04.2012. That on this basis, since the claim for honorarium before the date of actual approval dated 21.04.2012 was found to be contrary to the departmental provision, the claim and attached representation made by the petitioners are rejected through vide office letter no.-522, dated 04.05.2024.”

4. Having regard to the specific averments it transpires that there is no provision to pay the honorarium for the work period which was not approved by the competent authority and which was actually approved on 21.04.2012 and the petitioners are getting due salary/honorarium from the said date.

5. It further appears that after receipt of representation of these petitioners, the claim was examined and after investigation, a report dated 08.02.2024 was prepared. It further appears that actual approval on the post of Para-Teacher by Gram Sabha was made by Block Education Committee, Meharna on 21.04.2012, which was formally approved and thereafter, the honorarium is being paid regularly to the petitioners.

6. Learned counsel for the petitioners could not

demonstrate as to how, before the approval by the Gram Sabha, payment can be made.

7. Last but not the least, the claim of these petitioners relates to March, 2012 and the writ application has been filed on 27.07.2018. Though, there is no period of limitation stipulated in Article 226, however, admittedly, there are principle of delay and laches. In the case of ***Prabhakar vs. Joint Director, Sericulture Department and Another*** reported in ***(2015) 15 SCC 1*** it has been settled by the Hon'ble Apex Court as under:

"38. It is now a well-recognised principle of jurisprudence that a right not exercised for a long time is non-existent. Even when there is no limitation period prescribed by any statute relating to certain proceedings, in such cases courts have coined the doctrine of laches and delays as well as doctrine of acquiescence and non-suited the litigants who approached the Court belatedly without any justifiable explanation for bringing the action after unreasonable delay. Doctrine of laches is in fact an application of maxim of equity "delay defeats equities".

8. Having regard to the aforesaid discussion, the instant writ application stands dismissed. Pending I.A., if any, also stands closed.

(Deepak Roshan, J.)

JUNE 10, 2026
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