

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.722 of 2014
In
Civil Writ Jurisdiction Case No. 609 of 2007

Union Of India

.... Appellant/s

Versus

Prasanta Kumar Ray & Ors

.... Respondent/s

Appearance :

For the Appellant/s : Mr. Kunal Tiwary

For the Respondent/s : Mr. Ranjit Kumar Dueby

CORAM: HONOURABLE MR. JUSTICE I.A. ANSARI

and

HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE I.A. ANSARI)

7 28-01-2015

Heard Mr. Kunal Kumar Tiwari, learned counsel appearing on behalf of the appellant, and Mr. Ranjit Kumar Dubey, learned counsel for the respondents.

This is an appeal against the order, dated 24.8.2012, passed in CWJC No. 609 of 2007, whereby directions have been issued to respondent no.2, namely, Secretary (Fertilizers), Ministry of Chemicals and Fertilizers, Department of Fertilizers, to examine the claim of the writ petitioner for payment to be made to him under Voluntary Separation Scheme, for which a representation was to be filed by the writ petitioner within two months from that date, with further direction to Respondent No.2 to ensure that the payment, in terms of the Scheme, is made to

the petitioner within a period of four months from receiving the said representation.

At the time of admission of this appeal, it has been submitted, on behalf of the appellants, that no counter affidavit, appropriate to the facts in the writ application, was filed by the appellant in the writ proceeding and it was in such circumstances that the writ petition has been disposed of.

It is, therefore, submitted, on behalf of the appellants, that appellants seek permission to withdraw the appeal for filing necessary application seeking review of the order under appeal, if permitted, in the writ petition.

Considering the matter in its entirety and in the interest of justice, this appeal is disposed of as withdrawn with liberty granted to the appellant to approach the writ Court with appropriate application, in future, if so advised, and also to take recourse to such provisions of law as may be permissible.

The interim order passed on 13.11.2014, in this appeal, shall accordingly stand vacated.

(I. A. Ansari, J)

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(Chakradhari Sharan Singh, J)