

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 17633 of 2011

Along with
Interlocutory Application No. 869 of 2015

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Madan Sharma Son of Late Deeplal Singh, Resident of Village and P.O.-
Korawan, P.S.-Naubatpur, District-Patna.

.... Petitioner/s

Versus

1. The State of Jharkhand through the Chief Secretary, State of Jharkhand at Ranchi.
2. Secretary Welfare, State of Jharkhand at Ranchi.
3. Deputy Director, Welfare, Hazaribagh, Jharkhand.
4. Headmaster Sant Residential Girls High School, Pir Tand, Giridih, Jharkhand.
5. Accountant General Jharkhand, Ranchi.
6. The State of Bihar through the Chief Secretary, Old Secretariat, Patna.
7. Accountant General, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

6. 29.01.2015

Heard learned counsel for the parties.

Learned counsel for the petitioner submits that he has filed Interlocutory Application No. 869 of 2015 for substitution of the petitioner, who has died during the pendency of the writ application.

It transpires that the petitioner has approached the Court seeking commutation of 40% of his pension which has not been done by the respondents. However, the Court has been made aware that the petitioner superannuated in the year 2010 while working as Headmaster, Sant Residential Girls High School, Pir Tand, Giridih in the

State of Jharkhand and thus the grievance of the petitioner is directed against the State of Jharkhand and its authorities. Just because the petitioner may have settled in the State of Bihar and made correspondence with the authorities of Jharkhand, in the considered opinion of the Court, shall not confer jurisdiction on this Court to entertain such a matter. In view of the aforesaid, no cause or part of cause of action having arisen in the State of Bihar, the writ petition is dismissed on the ground of territorial jurisdiction.

However, the petitioner shall be at liberty to move before the appropriate forum for the relief claimed in the present writ application.

(Ahsanuddin Amanullah, J.)

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