

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 295 of 2009

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Sheo Pujan Singh Son of late Ram Briksh Singh, resident of Village-Maudihan, P.O.-Manipur, P.S.-Garhnokha, District-Bhojpur at Arrah.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, Government of Bihar, New Secretariat, Patna.
2. The Director (Health), Department of Health, Government of Bihar, New Secretariat, Patna.
3. The Accountant General, Bihar, Patna.
4. The Principal, Patna Medical College, Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Shivendra Kishore, Adv.

For the State : Mr. G.P.-13

For the Accountant General : Mr. Kumar Priya Ranjan, Adv.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

4. 07.01.2015

Heard learned counsel for the parties.

Learned counsel for the petitioner submits that the sole petitioner had died in year 2010.

It appears from the pleading that the petitioner retired in the year 1997 and thereafter some recovery was directed to be made from his post retrieval benefits in the year 1997/1998 itself. However, the writ application has been filed in the year 2009 that is after a delay of almost 12 years. Further, even after the death of the petitioner in the year 2010, till date no substitution has been made.

In view of the aforesaid, this Court finds that the application is fit to be rejected on the ground of gross delay and laches on the part of the original writ petitioner as well as

his heirs.

Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

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