

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5589 of 2014

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Ravindra Prasad Singh Son Of Late Hari Singh Resident Of Mustafapur, Police
Station- Surajgarha, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State Of Bihar through The Director, Department Of Panchayati Raj, Bihar,
Patna.

2. The District Magistrate, Lakhisarai.

3. The District Panchayati Raj Officer, Lakhisarai.

4. The Block Development Officer, Surajgarha, District- Lakhisarai.

5. The Accountant General, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 15-12-2015

Heard learned counsel for the parties.

The case has been listed for out of turn hearing on
priority basis on the motion slip filed by Mr. Manish Kumar, advocate
for the petitioner in which it has been stated that due to non-payment
of his retiral benefits he was not in a position to take care of himself
and his family members.

Under the *bona fide* belief that what has been stated in the motion slip and submission made in support of the same by learned counsel was correct, the Court had granted indulgence by getting the matter listed for out of turn hearing on priority basis. Today, it is apparent from the pleadings itself, especially at paragraph no. 6, that after retirement other post retiral dues have been paid to him except for payment under four heads which have been enumerated.

In view of the aforesaid background, the Court has no hesitation to hold that it was misled at the time of mentioning the matter which persuaded the Court to grant indulgence for out of turn hearing on priority basis. Such conduct relating to purity in judicial proceedings, has dissuaded the Court from interfering in the matter in its extraordinary and prerogative writ jurisdiction.

Accordingly, the writ petition stands dismissed. However, this will not preclude the petitioner to agitate the matter in accordance with law.

(Ahsanuddin Amanullah, J)

Anjani/-

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