

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12216 of 2015

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Nityanand Chaudhary son of late Jagannath Chaudhary, permanent
resident of village Baigani, Post Office Baigani, Police Station Bahera, Via
Benipur, District Darbhanga (Bihar).

.... Petitioner/s

Versus

- 1.The Union of India.
- 2.The Secretary, Ministry of Defence, Government of India, New Delhi.
- 3.The Comptroller, General of Defence Accounts, Ulan Batar Road,
Palam, Delhi Cant. Delhi-110010.
- 4.The Controller of Defence Accounts, Ministry of Defence (Finance),
C.D.A Building , Rajendra Path, Patna-800019 (Bihar).
- 5.The Commandant, Station head Quarter, Post Office Ranchi University,
Ranchi-8 Jharkhand.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Lal Das, Adv

For the Respondent/s : Mr. S.D Sanjay (Addl. Soc. Gen.) with Mr.
Kumar Priya Ranjan, C.G.C

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 11.08.2015 Learned counsel for the petitioner at the outset

submits that there is typographical error in the date, so

far it describes Annexure-4 in the date of 23.12.1998

which ought to have been 24.12.1998. In that view of

the matter the typographical error in date of Anneuxre-4,

the document in question i.e. is directed to be corrected

by learned counsel for the petitioner during the course of

the day.

Having regard to the preliminary objection

raised by Mr. S.D. Sanjay, learned Additional Solicitor General both as with regard to abnormal delay and cause of action being beyond the jurisdiction of this Court, in respect of the aforesaid order dated 24.12.1998, learned counsel for the petitioner also seeks permission to withdraw this application.

That being so, this application is dismissed as withdrawn.

It is however made clear that now the petitioner will have no liberty to move this Court again for the same cause of action.

(Mihir Kumar Jha, J)

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