

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13454 of 2014

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Randhir Kumar, S/o Sri Rajendra Pd. Singh, Advocate, Jubli Hall, Advocate Association, Patna High Court, R/o Dhanauti, P.S. Masauri, District – Patna.

.... Petitioner.

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Human Resources Department, Govt. of Bihar, Patna.
3. The Director Secondary Education Deptt. Bihar, Patna
4. The District Education Officer, Aurangabad, Bihar
5. The Principal, Narayani Girls High School +2, Patna City, Patna
6. Smt. Lalti Devi W/o (Not named the Petition) then Principal, Narayani Girls High School +2, Patna City, Patna
7. The Union of India through the Director, C.B.I., New Delhi

.... Respondents.

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Appearance :

For the Petitioner : Mr. Pawan Kumar Singh
For the State : Mr. Anjani Kumar, AAG-6.
For the C.B.I. : Mr. Bipin Kumar Sinha, Advocate.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 09-01-2015 The petitioner, an Advocate, practicing in this High Court, filed this Public Interest Litigation, with a prayer to direct the respondents herein to refund the amounts that have been allotted to them i.e. the schools, for upgradation to +2 level during the academic years 2005-2006 to 2008-2009 and for ordering an enquiry through C.B.I., into the matter. Other ancillary reliefs are also claimed.

It is stated that earlier, the petitioner filed C.W.J.C. No.5944 of 2012 almost for similar reliefs and that has been

disposed of on 05.04.2012 directing the Respondent Nos.2 and 3 to dispose of the representation dated 22.04.2011 made by the petitioner. It is alleged that no steps have been taken thereon.

Heard Sri Dinu Kumar, learned counsel for the petitioner, Sri Anjani Kumar, learned counsel for the State and Sri Bipin Kumar Sinha, the learned counsel for the C.B.I.

This is the second round of litigation by the petitioner, in relation to the same dispute and same complaint. In C.W.J.C. No.5944 of 2012, this Court directed the Respondent Nos.2 and 3 to dispose of the representation dated 22.04.2011 filed by the petitioner. If it is not complied with, the course of action open to the petitioner is different. It is well settled that a writ petition cannot be filed seeking enforcement of the order passed in another writ petition.

Therefore, this writ petition, is dismissed leaving it open to the petitioner, to pursue the remedy in accordance with law.

The Interlocutory Application, if any, stands disposed of.

There shall be no order as to costs.

(L. Narasimha Reddy,CJ)

(Rajendra Kumar Mishra, J)

P.S./-Bhardwaj

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