

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10601 of 2008

Ramanand Singh, son of late Ram Suhawan Singh, resident of Chanakya Colony, Police Station Parsa Bazar, District – Patna, at present posted as Welder, Grade-II in the office of the Executive Engineer (Mechanical) Field Machinery, Division, Digha, Patna Camp Office, Karbigahiya

.... .. Petitioner/s

Versus

1. The State of Bihar
2. The Commissioner, Water Resources Department, Sichai Bhawan, Third Secretariat, Patna
3. The Chief Engineer Mechanical Water Resources Department, Patna
4. The Superintending Engineer, Mechanical, Water Resources Department, Mithapur, Patna
5. The Executive Engineer (Mechanical), Field Machinery Division, Digha, Patha, Camp Office, Karbigahiya

.... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. HEMENDRA PD.SINGH
Mr. Arbind Kumar
Mr. Arvind Kumar
For the Respondent/s : Mr. (GP13)

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 12-08-2015

12.08.2015

Heard learned counsel for the parties.

None of the principles pressed into service by the petitioner can bail him out of the situation for the simple reason that the petitioner himself had accepted the decision of the respondents and had given to the authorities in writing that recovery should be made from the retiral benefit and the installment of Rs. 7,000/-, which was fixed, may be too harsh on his family.

If the respondents have accepted the prayer of the petitioner, dated 30.05.2008, which has been

annexed as Annexure-O to the counter affidavit, this Court will not allow him to turn around and now challenge the order, especially when such an offer was not a conditional offer or without any prejudice to his right. The Court cannot be treated as a speculative house where wagering can be permitted.

In view of the aforesaid facts and circumstances, writ application is dismissed.

(Ajay Kumar Tripathi, J.)

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