

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 11599 of 2016

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High Court Legal Services Committee, Patna High Court Patna through its
Secretary Shri Kishore Prasad, Joint Registrar (Judicial)-cum- Secretary,
Patna High Court Legal Services Committee, Patna Petitioner

Versus

1. The State of Bihar
2. The High Court of Judicature at Patna through the Registrar General,
Patna High Court, Patna
3. The Registrar General, Patna High Court, Patna
4. The Secretary, General Administrative Department, Government of
Bihar, Patna
5. Mrs. Reena Sinha, Advocate, Patna High Court, Patna
6. Lakshman Pal, Son of Sipahi Bhagat, Resident of Village - Bagahin,
P.O. - Banahi, P.S.- Behea, District - Bhojpur

.... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Jitendra Prasad Singh, Advocate
For the Opposite Parties : Mr. Sanjay Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

And

HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

2. 28-09-2016 This is a review application in the garb of an

application under Section 482 of the Code of Criminal

Procedure, calling upon this Court to review the final

judgment and order passed by this Court in Cr. Appeal

(DB) No. 249 of 1992. Even though, such application is

not maintainable, we have heard learned counsel for the

Legal Services Authority. Their prayer is that their

regulations provide for payment of only Rs. 500/- to the

counsel engaged by them to appear on behalf of any

person as a matter of legal aid. It is submitted that when

the Court appointed *amicus curiae* in this case and the

final hearing before Division Bench carried on for three days, the Court ought not to have awarded Rs. 7500/- (Rupee Seven Thousand and Five Hundred) in all (at the rate of Rs. 2500/- (Rupee Two Thousand and Five Hundred) per day) to the *amicus curiae* to be paid from the Legal Services Authority, we are not impressed. Legal Services Authority gets money also by way of various court's order which is not a part of its regulation, then, when a Court appoints *amicus curiae* and not an advocate through the Legal Services Authority. We do not find that the authority should have any difficulty in obeying the orders of the Court and that too of a paltry amount payable only at the rate of Rs. 2500/- (Rupee Two Thousand and Five Hundred) per day.

We, thus, find no merit in this application. This application is dismissed, accordingly. If amount already not paid, be paid within a fortnight.

(Navaniti Prasad Singh, J.)

(Jitendra Mohan Sharma, J.)

Kundan/Rajeev

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