

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.556 of 2015

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1. Sakuntala Devi widow of Late Suresh Prasad Gupta resident of Ram Mandir Road, P.O. + P.S. and District - Deoghar, Jharkhand

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Water Resources Department, Government of Bihar, Patna
2. The Deputy Secretary, Water Resources Department, Government of Bihar, Patna
3. The State of Jharkhand through the Secretary, Water Resource Department, Government of Jharkhand, Nepal House, Doranda, Ranchi
4. The Deputy Secretary, Water Resource Department, Government of Jharkhand, Nepal House, Doranda, Ranchi
5. The Chief Engineer, Water Resource Department, Deoghar Zone, District - Deoghar (Jharkhand)
6. The Superintending Engineer, Design Circle, Water Resource Department, Deoghar, District - Deoghar (Jharkhand)
7. The Accountant General, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Kumar Jain, Adv.

For the Respondent/s : Mr. Shyam Kishore Sharma, G.A.1

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 22-11-2016

In this case the husband of the petitioner was dismissed from service on 21.8.2000 and though he expired on 25.12.2010 i.e. more than 10 years thereafter but he did not choose to question his dismissal. Even the widow of the petitioner has chosen to question the dismissal order dated 21.8.2000 in the year 2015 i.e after five years of the expiry of her husband in the year 2010. Apart from the fact that where the husband of the petitioner did not choose to question his

dismissal during his life time, the petitioner has no locus to challenge the same, even on the issue gross laches and delay, the petitioner moving this Court after 5 years of the death of her husband, the writ petition is not worthy of indulgence and is disposed of accordingly.

(Jyoti Saran, J)

Bibhash/-

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