

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17849 of 2015

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Kanti Devi
..... Petitioner/s

Versus

The State of Bihar & Ors
..... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Kritya Nand Jha
For the Respondent/s : Mr. Gp10-Kumari Amrita

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR SAHOO
ORAL ORDER

2 23-06-2016 Heard learned counsel for the petitioner.

This application under Article 226 of the Constitution of India has been filed by the petitioner for issuance of a writ in the nature of Mandamus directing the respondent authorities to refund the amount of Rs.12,000/- deposited by the petitioner.

In view of the decision of the Hon’ble Supreme Court in the case of **Radhey Shyam & Anr. vs. Chhabi Nath & Ors (2015) 5 SCC 423** the Civil Courts are not amenable to writ jurisdiction under Article 226 of the Constitution of India. Therefore, if the petitioner has got remedy under the Code of Civil Procedure he may pursue the matter but certainly this writ application is not maintainable. Accordingly, it is dismissed.

Harish/-

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(Mungeshwar Sahoo, J)