

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2048 of 2013

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Birendra Kumar S/O Late Yamuna Prasad R/O Khangah, P.O., P.S. & District-
Arbal

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Co-Operative Department, Government Of Bihar, New
Secretariat, Patna
3. The Registrar, Co-Operative Societies, Government Of Bihar, New Secretariat,
Patna
4. The Assistant Registrar, Co-Operative Societies, Siwan Anchal, Siwan

.... Respondent/s

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Appearance :

For the Petitioner : Mr. Bipin Bihari Singh with
Mr. Rakesh Ranjan, Advocates

For the State : Mr. Manoj Kumar Yadav, AC to GA 10

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 26-08-2016

Heard learned counsel for the parties.

Counter affidavit has been filed on behalf of respondent
no. 4 in which Annexure-A is the copy of the letter written by the
petitioner in his own handwriting dated 05.06.2014, where he has
stated that in view of various payments received, he is informing the
Assistant Registrar, Co-operative Societies, Siwan that he would be
withdrawing the present writ application.

Reply has been filed on behalf of the petitioner today. In the same, though issues have been mentioned, but there is no explanation as to why the writ petitioner had written to the authorities concerned that he would be withdrawing the present writ application in view of payments being made.

The Court cannot allow any party to play a double game, by trying to keep the authorities happy on the one hand and at the same time asserting his right before the Court. It also shows the conduct of the petitioner inasmuch as he has tried to mislead the authorities concerned that he would be withdrawing the writ application. Reply has been filed which, in effect, is that he is contesting the writ application.

In view of the aforesaid, the Court does not feel that the conduct of the petitioner entitles him to any relief when substantial payment has been made to him.

For the reasons aforesaid, the writ petition stands dismissed. However, the petitioner shall be at liberty to file a representation before the authorities concerned if payment of any dues still remains.

(Ahsanuddin Amanullah, J)

Anjani/-

AFR/NAFR	NAFR
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