

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.53 of 2015

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1. Vijay Kant Jha Son of Late Gunanand Jha Vill - Pariharpur, P.S. - Raj Nagar, Dist - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shri BalNath Jha S/o not Known Ex. Principal , Visheswar Singh Janta College, Raj Nagar, Dist - Madhubani.
3. Shri Looteshwar S/o not known Ex. Principal , Visheswar Singh Janta College, Raj Nagar, Dist - Madhubani.
4. Shri Binod Narayan Singh S/o not known Ex. Principal , Visheswar Singh Janta College, Raj Nagar, Dist - Madhubani.
5. Shri Muki Nath Jha @ Mukti Nath Jha S/o not known Ex. Principal , Visheswar Singh Janta College, Raj Nagar, Dist - Madhubani.
6. Shri Pulo Paswan S/o not known Ex. Principal , Visheswar Singh Janta College, Raj Nagar, Dist - Madhubani, present Address - Ramlakhan Singh Yadav College, Aurangabad, Permanent Address - Professor Colony, Back side of Shedpur Hostel, Haunulhaq Stadium, Rajendra Nagar Patna - 15.
7. Shri Chandra Bhusan Singh S/o not known Principal, Visheswar Singh Janta College, Raj Nagar, Dist - Madhubani, Present Address - Shubas Nagar Colony Stadium Road , Madhubani.
8. Shri Bhogendra Mishra S/o Munindra Mishra Presently resident at Head Clerk, Visheshwar Singh Janta College, Raj Nagar, Dist - Madhubani.
9. Md. Sahabuddin S/o Not Known Posted as Accountant, Visheshwar Singh Janta College, Raj Nagar, Dist - Madhubani, Permanent Address - Sugaona, P.S. - Raj Nagar, Dist - Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Madhav Roy
For the Respondent/s : Mr. Kumar Ranjit Ranjan(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 03-03-2017

Heard learned counsel for the parties.

2. The petitioner filed a complaint case registered as C. R. No. 304 of 2013, in the Court of learned Chief Judicial Magistrate, Madubani with an allegation that Opposite party No.2, the Pprincipal of Visheshwar Singh Janta College, Raj



Nagar, Madubani had come to his house and told him that he wanted to appoint him as *Care Taker* for the entire property of the College and doing pairvi of Title Suit No. 27 of 1999 in the Civil Court. He assured him that he will write a letter in this regard for his wages to Lalit Narayan Mithila University, whereafter he would start getting his salary regularly. It is his case that he continued to work as such for long 14 years under the assurance that he will be given Rs. 10,000/- per month as wages. He was not paid any wages from the very beginning.

3. He filed the complaint petition in the year 2013.

4. Learned Court of Sub Divisional Judicial Magistrate, Madubani has dismissed the said complaint petition by order dated 04.09.2014 under Section 203 of the Code of Criminal Procedure, 1973. The said order dated 04.09. 2014 is under challenge in the present criminal revision application.

5. I do not find any illegality in the impugned order for more than one reason. Apparently, no criminal offence is made out on the basis of what has been alleged by the petitioner. Secondly, the petitioner filed the complaint petition 13 years after he is said to have been appointed as *Care Taker* without any wages. Thirdly, it is dispute of purely civil nature and criminal Court is not the correct forum for



such matters.

6. This application has no merit and it is, accordingly, dismissed.

7. The petitioner may take recourse to civil remedies as may be available to him under law.

(Chakradhari Sharan Singh, J)

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