

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1262 of 2005

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Ram Naresh Singh son of Late Manik Singh, resident of village-Saneyya, P.O.-
Jamuaon, P.S.-Piro, District- Bhojpur (Ara)

.... Petitioner/s

Versus

- 1.The State of Bihar
2. District Magistrate, Bhojpur at Ara
- 3.Sub Divisional Officer, Piro
- 4.Block Development Officer, Piro
- 5.District Accounts Officer, Bhojpur at Ara

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Kinkar Kumar, S.C.-9
Mr. Yogesh Kumar A.C. to S.C.-9

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 02-03-2017

Despite repeated calls, no body appears on behalf of the petitioner to press this application. Learned counsel for the State is present.

2. The instant writ application has been filed by the petitioner for direction to the respondent authorities to make payment of pensionary benefits to the petitioner.

3. On perusal of the writ application it would appear that the petitioner retired on 30th September, 2002 as Block Co-operative Extension Officer from the office of the Block Development Office, Piro, Bhojpur. A contention has been raised that despite representation, the pensionary benefits of the petitioner were not paid



to him.

4. From perusal of the record, I find that the writ petition was filed on 25th January, 2005 and the same stood dismissed for want of prosecution on 19th January, 2010. Subsequently, at the request of the petitioner, the writ application was restored to its original file vide order dated 31.03.2010 passed in M.J.C. No.421 of 2010. After restoration of the writ application when the matter was taken up on 18th January, 2011 again the case was dismissed for want of prosecution. Once again a restoration application was filed and vide order dated 12.08.2015 passed in M.J.C. No.4091 of 2011 the writ application was directed to be restored to its original file. After restoration of the writ application when the matter was taken up by the Court on 26.08.2015 once again no body appeared on behalf of the petitioner to press this application and the writ application was dismissed for want of prosecution. The petitioner filed another restoration application before this Court which too was allowed and the writ application was restored to its original file vide order dated 18.05.2016 passed in M.J.C. No.662 of 2016. Thereafter, on several occasions when the matter was taken up by the Court on 01.07.2016, 04.07.2016 and 02.09.2016, no body appeared on behalf of the petitioner to press the application. Even today, neither the petitioner is appearing in person nor counsel on behalf of the petitioner is present.



5. A counter affidavit and a supplementary counter affidavit have been filed on behalf of respondent no.4 the Block Development Officer, Piro, Bhagalpur wherein it is stated that all the retiral benefits have already been paid to the petitioner.

6. In absence of any representation on behalf of the petitioner, the Court has no reason as to why the contention of the respondent no.4 made on oath be not believed.

7. Accordingly, the writ application is disposed of.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	4.3.2017
Transmission Date	

