

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1444 of 2016
IN
Civil Writ Jurisdiction Case No. 12734 of 2013**

- =====
1. Pravin Chandra Prasad, Advocate, A.O.R. No. 00778, Son of Late Harish Chandra Prasad, Resident of Flat No. 208, Unnati Griham Apartment, Near Hi-Q Restaurant, Kachchi Talab Road, New Yarpur, Patna-1 (Bihar) (In Person).

.... Appellant/s

Versus

1. The Union of India, through Secretary, Chemical And Fertilizer Department/Ministry, null Bharat Sarkar, Shastri Bhawan, New Delhi.
2. Chairman -Cum -Managing Director, Hindustan Fertilizer Corporation Limited, Registered Corporate Office, P.D.I.L. House, 12-A, Sector-24, Noida, District- Gautam Budha Nagar (U.P.), Pin- 201302.
3. In-Charge, Hindustan Fertilizer Corporation Limited, Barauni Unit, Post Office- Barauni Urvarak Nagar, District- Begusarai (Bihar), Pin- 851115.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pravin Chandra Prasad, Advocate

For the Respondent/s : Mr. S.D Sanjay (ADDL. SOL. GEN.)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 01-05-2017

Seeking exception to an order dated 20.6.2016 passed by the learned Writ Court in C.W.J.C. No.12734 of 2013, this appeal has been filed under Clause 10 of the Letters Patent.

In the matter of payment of professional advocate's fee, the learned Writ Court has made observation as under and dismissed the writ application:

“CWJC No.4549 of 2012 was filed by the petitioner which was disposed of on 01.03.2013 permitting him to represent the matter before the respondents ventilating his



grievance. Unquestionably, on a claim made by the petitioner, the respondents have passed the bill at certain rate and made payment thereof to the petitioner as is apparent from Annexure-A. The petitioner is dissatisfied with the quantum of the payment of the dues. The present writ petition is filed to question the logic and factual distortion made in the disposal of the representation by the respondent (Annexure-8).

It is difficult for this Court to grant further indulgence for recovery of the amount under a contract as is reflected from the writ petition. The high prerogative jurisdiction, in the facts of the case, should not be exercised. The petitioner may ventilate his grievance before the appropriate forum/authority in accordance with law.

The writ application is dismissed.”

In doing so, we are of the considered view, the learned Writ Court has not committed any error warranting re-consideration.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
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