

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8848 of 2014

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Rajendra Prasad Choudhary son of Late Kedar Nath Choudhary resident of village and P.O. Kumaripur, Police Station Manihari, District Katihar.

.... Petitioner

Versus

1. The State of Bihar.
2. The District Magistrate, Katihar.
3. The Zila Parishad, Katihar through its Chairman, Zila Parishad, Katihar, District Katihar.
4. The Deputy Development Commissioner cum Chief Executive Officer, Zila Parishad, Katihar, District - Katihar.

.... Respondents

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Appearance :

For the Petitioner/s	:	Mr. Narayan Singh, Sr. Advocate Mr. Rama Nand Poddar, Advocate
For the State	:	Mr. Ashish Kumar Lal, AC to GA-5
For Zila Parishad	:	Mr. K. B. Nath, Advocate Mr. Durga Narayan, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 10-03-2017

The prayer of the petitioner in the present writ application is as under :-

“1. That this application is directed against non-compliance of the direction/directions of this Hon’ble Court dated 19.06.2013 passed by Hon’ble Mr. Justice Samrendra Pratap Singh in CWJC No. 3689 of 2012 whereby Zila Parishad, Katihar has to pay entire retiral dues of the



petitioner by 31st July, 2013 whereas not even a single farthing has been paid to the petitioner after passing the aforesaid order of this Hon'ble Court although enough fund was made available by the State.”

2. The instant writ application has been filed for passing appropriate order against the respondents for non-compliance of the direction of this Court given in CWJC N. 3689 of 2012 whereby Zila Parishad, Katihar was directed to pay the retiral dues of the petitioner by 31st July, 2013.

3. In the considered opinion of this Court, the writ application is misconceived. If an order is not complied with, the petitioner has other remedy available in law, but certainly a second writ application for the same relief between the same parties would not be maintainable.

4. Accordingly, the writ application is dismissed.

(Ashwani Kumar Singh, J.)

Kanchan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.03.2017
Transmission Date	NA

