

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22672 of 2012

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Raj Kumar Jha, Son of Late Yugeshwar Jha, Resident of Mohalla Shivpuri, Beur Road, P.S. Anisabad, Patna - 800002

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Human Resources Department Government of Bihar, Patna
3. The Director, Higher Education, Human Resources Department, Govt. of Bihar, Patna
4. Maithili Academy, Shastrinagar, Flat No. 740/800, Patna - 23, through its Chairman
5. Director Cum-Secretary, Maithili Academy, Shastrinagar Flat No. 740/800, Patna - 23

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Udai Bhanu Rai, Advocate

For the Respondent/s : Mr. AAG-4

Mr. AC to AAG-4

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 25-09-2018

Heard learned counsel for the petitioner and respondents.

2. Earlier the petitioner has approached this Court vide C.W.J.C. No. 6994 of 2001. The writ application was permitted to be withdrawn with liberty on 04.03.2003. The order dated 04.03.2003 reads as follows:

“Mr. S.C. Jha appears on behalf of the petitioner. J.C. to SC-VII appears on behalf of respondent nos.1 to 3 and Mr. Thakur, appears on behalf of respondent nos. 4 to 6.

Mr. Jha appearing on behalf of the petitioners prays for withdrawal of this application with



liberty to the petitioner to pray for his my protection in the light of the decision of the State Government dated 8th of December, 2001 (Annexure-11). He also states that the petitioner has not been given even the salary of Routine Clerk.

The petitioner shall be free to raise these grievance before the authority concerned. Needless to state that in case the petitioner makes prayer for pay protection and payment of arrears of salary of Routine Clerk, the authority concerned shall consider and dispose of the same within three months from the date of receipt/production of a copy of this order.

The application is permitted to be withdrawn with the liberty aforesaid.”

3. After the order dated 04.03.2003, the petitioner approached the authority. Since the decision was taken by the Court at the wisdom of the petitioner, this Court cannot make any comment, as petitioner himself decided to withdraw the writ application to approach the respondent authority.

4. Mr. Udai Bhanu Rai, learned counsel appearing on behalf of the petitioner submits that the petitioner has approached the respondent authority after withdrawal of the writ application at his own sweet will, but the respondents are sitting tight over the matter.

5. Under the aforesaid circumstance, the Court cannot issue any positive direction, as the petitioner has himself chosen to



withdraw the writ application. The Court only hopes and trusts that if the petitioner files any representation before the respondent authority for redressal of his grievance, the respondent authorities one way or the other will dispose of the same by a reasoned and speaking order expeditiously preferably within a period of four months from the date of filing such representation along with a copy of this order.

6. With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.09.2018
Transmission Date	

