

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16513 of 2013

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Mukesh Kumar Son of Mohanlal Prasad, Resident of Village- Hajiapur,
Ward No. 10, P.S.- Gopalganj, District- Gopalganj

.... Petitioner

Versus

1. The State of Bihar
2. The Executive Officer, Municipal Council, Gopalganj
3. The Executive Engineer, Municipal Council, Gopalganj

.... Respondents

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Appearance :

For the Petitioner : Mr. Yogendra Prasad Sinha, Advocate.

For the Respondents : Mr. Shashi Bhushan Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 17-07-2018

This case has been listed out of turn on the request of learned counsel for the petitioner who has filed the mentioning slip stating that the writ petition has been filed for a direction to the respondent to make payment of Rs. 1,31,900/-. A perusal of the prayer in the writ petition however shows that the amount of payment claimed by the petitioner is only Rs. 61,328/-. The petitioner is unable to explain under what circumstances the incorrect figure has been stated in the mentioning slip.

2. It is a matter of great concern that one of the defects pointed out by the Stamp Reporter at the time when the writ petition was filed, was requiring a "receipt showing copy service on the other side counsels with AOR as required". The



petitioner specifically stated that these defects had already been removed. Almost five years later when the matter has come up for consideration, learned counsel for the Municipal Corporation states that only one copy of the brief has been served upon him as recently as on 06.04.2018.

3. Learned counsel for the petitioner has also not afforded any satisfactory explanation in this regard.

4. Considering the above, this Court is not inclined to enter into the merits of the matter for grant of relief to the petitioner in exercise of its extra ordinary writ jurisdiction.

5. The writ petition stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/BT

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