

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8514 of 2008

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Devendra Jha son of Shri Kapileshwar Jha, Resident of Village- Bara, P.S. Bihra, District- Saharsa at present posted as Chairman, Irrigation Division, Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Principal Secretary, Water Resources Department, Government of Bihar, Patna.
3. Joint Secretary, Budget, Water Resources Department, Government of Bihar, Patna.
4. Deputy Secretary, In-charge, Revenue Administration, Water Resources Department, Government of Bihar, Patna.
5. Chief Engineer, Water Resources Department, Bhagalpur.
6. Executive Engineer, Irrigation Division, Bhagalpur.
7. Executive Engineer, Irrigation Division, Saharsa.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satish Chandra Jha-3

For the Respondent/s : Mr. Y.P. Sinha, AAG-7

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

17 12-07-2018

The learned counsel for the parties are in agreement that the present controversy cannot be decided by a writ court on account of disputed question of fact. However, the same can be adjudicated once the criminal Court adjudicates the matter pertaining to Banka P.S. Case No. 366 of 2008 dated 13.08.2008 pending before the Court of learned Judicial Magistrate, 1st Class, Banka.

Accordingly, the present writ petition is disposed of with liberty to the petitioner to file a fresh writ petition immediately upon the verdict of the aforesaid criminal case is pronounced.

(Mohit Kumar Shah, J)

BTiwary/-Md Rashid

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