

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 19406 of 2018

=====

Sadanand Goswami, Son of Late Ram Pratap Goswami, Resident of village -
Mansar (Madhusudanpur) Police Station - Nathnagar, Distt. Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the District Magistrate, Bhagalpur
2. The Deputy Collector Land Revenue, Kahalgaon, Bhagalpur.
3. The Additional Collector, Bhagalpur.
4. The Circle Officer, Pirpainti, Bhagalpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : M/s Ajit Kumar Ojha, Arya, Advocates
For the Respondent/s : Mr W A Khan, AC to SC XXV

=====

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 27-05-2019 Matter has been listed today in the Summer

Vacations as the learned counsel for the petitioner was desirous

for consideration of his case during vacation.

The slip for listing was filed pursuant to notice

dated 08th May 2019, published prior to the vacation.

Matter is, accordingly, taken up for consideration as

both parties are present and willing to assist the Court for

disposal of the matter.

Heard learned counsel for the petitioner and the

respondent-State.

It is submitted by petitioner's counsel that the

situation is emergent in view of the acute critical illness of wife



of the petitioner. Application for voluntary retirement has been necessitated in view of such unfortunate circumstances. Application is said to have been made in January, 2018 (Annexure 2). Writ petition, seeking the relief of voluntary retirement, has also been filed in 2018 itself. Till date, no counter affidavit has been filed.

Parties are ad idem at least on one issue that once the application has been made for voluntary retirement under Rule 74 of the Bihar Service Code, final decision in respect thereof should be communicated to the petitioner.

In view of the said circumstances, keeping the writ petition pending would serve no useful purpose.

Writ petition is disposed of.

District Magistrate (respondent No 1) is directed to take a final decision on petitioner's application for voluntary retirement (Annexure 2 of the writ petition) by a reasoned and speaking order in accordance with law within a period of eight weeks from the date of receipt/production of a copy of this order.

(Madhuresh Prasad, J)

M.E.H./-

U			
---	--	--	--

