

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3611 of 2016

Bindeshwar Narain Srivastava S/o Late Ram Prakash Narain Shrivastava
resident of village - Manikpur, P.S. - Minapur, District - Muzaffarpur,
presently residing at Flat No. 20, Sector - 424, Nerul West Navi Mumbai -
400706.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Joint Secretary, Government of Bihar, Department of Animal Husbandry,
New Secretariat, Patna.
3. Deputy Secretary to the Government of Bihar, Department of Animal
Husbandry and Fisheries, Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar Sinha
For the Respondent/s : Mr.Prabhat Ranjan Singh, AC to AAG 15

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-04-2019 Counsel for the petitioner submits that entitlement of pension of the petitioner during the period of suspension had already been adjudicated by this court in proceeding arising out of CWJC no.13143/2004 on 22.02.2005. Petitioner's counsel further submits that LPA preferred by the State against the said order bearing LPA no. 463/2005 has already been dismissed and thus, petitioner is entitled to be paid all dues in terms of the said order till date of his conviction in criminal proceeding which is much subsequent to order passed by this court on 22.02.2005.

Since entitlement of the petitioner was already considered and direction in respect thereof had already been



made in the order dated 22.02.2005 passed in CWJC no.13143/2004, this court would observe that successive writ petitions, in the said circumstance for the same relief would not be maintainable.

It is submitted by petitioner's counsel that the petitioner would be filing contempt petition on account of non-compliance of the said order.

Writ petition is, therefore, dismissed as not maintainable, but without prejudice to petitioner's right to approach this court in contempt jurisdiction.

(Madhuresh Prasad, J)

s.hassan/-

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