

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4793 of 2019

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Amarjeet Kumar Son of Sri Gorakh Prasad Yadav, Proprietor M/s Aman Trading Company, North Hajipur, Ward No. 13, Police Station- Khagaria, Distt. Khagaria.

... .. Petitioner

Versus

1. The Union of India through the General Manager, East Central Railway, Hajipur.
2. The Chief Commercial Manager, East Central Railway, Hajipur, Patna
3. The Senior Divisional Personnel Officer, Sonpur Division (E.C.R), Khagaria
4. The Commercial Superintendent (Goods), Sonpur Division (E.C.R.) Khagaria

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Manish Kumar, Advocate
For the Railways : Mr.Amresh Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

- 2 25-07-2019 Remedy under Article 226 of the Constitution of India is not a substitute for a money suit for recovery of money.
- The petitioner claims that the Railway has adjusted excess amount of Rs. 17,43,000/- way back in the year 2009 and for the last 9 years 3 months his grievance has not been redressed. Apparently after 10 years this writ application has been filed with a prayer to issue a writ of mandamus directing the respondents to make payment what the petitioner's claim to be an outstanding amount. Not only that the writ application has been filed for a pure and simple money claim, it has also been presented after 10 years from the date when a cause of action



arose for recovery of money.

In these circumstances, the writ application cannot be maintained before this Court.

Learned counsel for the Railways is present.

The writ application is dismissed *in limine*.

(Rajeev Ranjan Prasad, J)

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