

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 40326 of 2014

Arising Out of Complaint Case No.-319 C Year-2013 Thana- MUNGER COMPLAINT
CASE District- Munger

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Pramod Kumar, Son of Jag Lal Chaudhary, Resident of Village - Bhergawan,
P.S. - Dhanarua, District - Patna, the then District Manager, State Food
Corporation, Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Kumar Sah, Son of Saudagar Sah, Resident of Village - Singhpur, P.S.
- Kharagpur, District - Munger.
3. The Bihar State Food Corporation through its Secretary, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajit Kumar Singh, Advocate
For the B.S.F.C.	:	Mr. Shailendra Kumar Singh, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 28-01-2019

Heard learned counsel for the petitioner; learned A.P.P.
for the State and learned counsel for the opposite party no. 3.

2. Despite learned counsel entering appearance on
behalf of learned counsel for the opposite party no. 2 and his name
also appearing in the cause list, nobody appeared on his behalf
when the case was taken up and heard.

3. By order dated 17.01.2019, on prayer made by
learned counsel for the petitioner, to file supplementary affidavit,
the matter was directed to be listed today.



4. However, today, learned counsel for the petitioner submitted that despite his best efforts, he has not been able to contact the petitioner. On a query of the Court to various factual aspects in view of the submissions made by learned counsel for the petitioner, it was submitted by him that because of lack of communication with the petitioner, he was not in a position to answer the queries of the Court.

5. Having considered the matter, the Court finds that without it being given satisfactory reply to its queries, which basically relate to the factual aspect, which the petitioner is presumed to be aware of and which otherwise also in law he is obliged to bring on record when asked for by the Court, and the same not forthcoming and learned counsel for the petitioner taking a stand that he is unable to get in touch with the petitioner, the Court finds that no useful purpose would be served to leave the matter pending, moreso when the petitioner is not in touch with even his counsel.

6. In the aforesaid background, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

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