

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3725 of 2015

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Birju Ram Son of Late Churaman Dusadh @ Churaman, Resident of Village-
Pachhurukhia, P.S.- Khijarsarai, District- Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Chief Secretary, General Administration Department, Government of Bihar
3. The Commissioner, Magadh Division, Gaya, District- Gaya
4. The District Officer, Gaya
5. The District Establishment Deputy Collector, Gaya
6. The District Treasury Officer, Gaya
7. The Block Development Officer, Nagar, District- Gaya
8. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sudhir Kumar Sinha, Advocate
For the State	:	Mr.Manoj Kumar Sinha, AC to GA 9
For the AG	:	Mr. Ajeet Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 15-02-2019 Heard counsel for the petitioner and the State.

Petitioner seeks quashing of the order dated 15.05.2013 issued by the District Establishment Branch, Collectorate, Gaya in purported exercise of powers under Rule 43 (b) of the Bihar Pension Rules.

Counter affidavit has been filed. It is pointed out by the State counsel that against the same order petitioner had preferred C.W.J.C. No. 1925 of 2014. When an objection was raised regarding the petitioner moving the writ Court directly, the writ petition filed by the petitioner earlier was dismissed as withdrawn with liberty to the petitioner to take steps for



challenging the order. Without assailing the said order before the Appellate Authority again the instant petition has been filed for the same relief.

Since the writ petition for the same relief has already been dismissed and the petitioner has not availed of the appellate remedy available to him for which he had withdrawn the writ petition on the earlier occasion, this Court is of the opinion that a successive writ petition for the same relief would not be maintainable.

Writ petition is dismissed.

(Madhuresh Prasad, J)

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