

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1785 of 2017

In
Civil Writ Jurisdiction Case No.434 of 2017

Amit Kumar Son of Ramlakhan Ram, Resident of Village-Meghi, P.S.
Deepnagar, District-Nalanda.

... .. Appellant/s

Versus

1. The State Of Bihar
2. The Deputy Director General of Police, Central Range, Patna.
3. The Superintendent of Police, Nalada at Biharsharif.
4. The Accountant, Police Officer, Nalanda.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Kamala Pd. Roy, Advocate
		Mr. Satya Ranjan Sinha, Advocate
For the Respondent/s	:	Mr.

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 14-02-2019

The appellant was facing a criminal prosecution as a result whereof he was obviously not discharging official duties during the period of dismissal from 28th July, 2007 to 6th June, 2011 when he was reinstated after acquittal in the criminal case. The very order of reinstatement dated 16th June, 2011 recites that the appellant shall not be entitled to back wages. This order was never challenged and it was under the said order that the appellant accepted his reinstatement. It is after almost six and a half years that he filed a writ petition claiming back wages which has been dismissed by the learned Single Judge on the



ground that the appellant never chose to question the said reinstatement order, that too for a period of more than six years.

We are satisfied that the learned Single Judge has exercised his judicious discretion in declining to grant relief under the extra-ordinary jurisdiction of Article 226 of the Constitution, in the background aforesaid with which we are in full agreement.

No ground is made out for interference. The appeal stands rejected.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

K.C.Jha/Uma/-

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