

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.702 of 2018

In
Civil Writ Jurisdiction Case No.17739 of 2014

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Baleshwar Sharma, s/o Late Jagdish Sharma resident of at P.O. Bandhuganj, P.S. Ghoshi, district - Jehanabad, Bihar, at present residing at Polytechnic Quarter no. 7, behind Alamganj Thana, P.S. Alamganj, Government Polytechnic, Gulzarbagh, Patna - 7.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Science and Technology Department, Technology Bhawan, Government of Bihar, Bailey Road, Patna.
2. The Principal Secretary Science and Technology Department, Technology Bhawan, Government of Bihar, Bailey Road, Patna.
3. The Director, Science and Technology Department, Government of Bihar, Bailey Road, Patna.
4. The Finance Commissioner, Government of Bihar, Patna.
5. The Additional Secretary, Science and Technology, Government of Bihar, Patna.
6. The Principal, Principal In Charge, Lok Nayak Jaiprakash Narain Institute of Technology, Chhapra.
7. The Principal, Government Polytechnic, Gulzarbagh, Patna - 7.
8. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Lakmesh Marvind, Adv.
For the Respondent/s : Mr. Manish Kumar, AC to AAG-6

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 19-11-2019 The appellant has prayed for the following relief :-

“It is, therefore, prayed that
your lordships may graciously be pleased
to quash part of the order / judgment



dated 25.4.18 passed in CWJC No. 17739 /2014 by the Hon'ble Mr. Justice S. Kumar for the ends of justice and grant the relief as prayed for by the petitioner.”

We do not find any reason to interfere with the impugned judgment dated 25.04.2018, passed in CWJC No. 17739 of 2014 titled as Baleshwar Sharma Vs. The State of Bihar and Ors. for the reason that the actual monetary benefit is limited to three years prior to filing of writ petition and the petitioner was a fence- sitter.

As such, the instant appeal stands dismissed.

However, learned counsel for the State submits that in terms of the impugned judgment all dues of the writ petitioner shall positively be released in his favour within a period of three months from today.

(Sanjay Karol, CJ)

(Dinesh Kumar Singh, J)

Ashwini/DKS

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