

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12969 of 2015

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Gopal Krishna Sahay son of Late Brij Mohan Sahay resident of Mohalla Aliganj, Bijay Nagar Road Police Station Banka, District Banka, at present resident at Alam Nagar, Police Station Alam Nagar, District Madhepura,

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Health Department, Government of Bihar, Patna
2. The Deputy Secretary, Health Department, Government of Bihar, Patna.
3. The Civil Surgeon-cum-Chief Medical Officer, Saharsa District- Saharsa,
4. The Additional Chief Medical Officer Saharsa.
5. District Malaria Officer, Saharsa.
6. The Regional Deputy Director of Health Services, Koshi Division, Saharsa, District Saharsa.
7. The Deputy Director, Health Services-Cum- State Programme Officer, Malaria/Kalajar, Swasth Bhawan,
8. The Accountant General Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate
For the Respondent/s : Smt. Binita Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 06-02-2024 Heard Mr. Raja Ram Mishra, learned counsel for the petitioner and Smt. Binita Singh, learned counsel appearing on behalf of the State.

2. The present writ petition has been filed for quashing the recovery order dated 20.04.2015, which was served on the petitioner after his superannuation. The petitioner has superannuated in the year 2012 and the impugned order was passed in the year 2015 and by the aforesaid letter it has directed



to recover the amount of Rs.4,85,107/-. Although, the State has filed the counter affidavit in the present writ petition but he has produced a letter dated 05.02.2024 which suggests that the letter dated 20.04.2015 was cancelled by the State Government. So, there is no apprehension for recovery. Learned counsel for the State has also handed over the letter dated 05.04.2024 to the learned counsel for the petitioner.

3. In view of the letter produced by the learned counsel for the State the present writ petition becomes infructuous.

4. In view of the aforesaid learned counsel for the petitioner seeks permission to withdraw the application.

5. Permission is accorded.

6. Accordingly, this writ application is dismissed as withdrawn.

(Rajesh Kumar Verma, J)

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