
(2002) 09 PAT CK 0036
In the Patna High Court
Case No : L.P.A. No. 987 of 2002

Dr. Lakhichand Prasad

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

Date of Decision : 16-09-2002

Acts Referred:

Citation : (2002) 4 PLJR 652

Hon'ble Judges : Ravi S. Dhavan, C.J;R.N. Prasad, J

Bench : Division Bench

Advocate : Ajay Kr. Ambastha, for the Appellant; Nirmal Kumar Sinha, for State, for the Respondent

Final Decision : Dismissed

Judgement

1. This is the fourth case which has been filed by the Petitioner. Earlier he has filed three petitions. These were C.W.J.C. Nos. 9092 of 1989, 7653 of 1992 and 8725 of 2002. The present Letters Patent Appeal arises from the latter petition on an order dated 7 August, 2002 by which the learned Judge has declined to interfere considering the relief to the Petitioner.

2. The fact that the Petitioner has been filing repeated writ petitions is reason that the Court has to consider the cause of the Petitioner again and again. In so far as C.W.J.C. No. 9095 of 1989 is Concerned, an extract from the order on the writ petition is quoted in the impugned order dated 7 August, 2002.

3. In so far as C.W.J.C. No. 7653 of 1992 is concerned, the Petitioner has not been able to answer the inquiry of the Court that if he had been given an indulgence by the High Court to file representations on the order which he received on his earlier petition (C.W.J.C. No. 9092 of 1989), he had not utilised the order nor filed representations or satisfied the Court that the representations which he had filed may be pending for consideration. In the order dated 3 February, 1992 (in C.W.J.C. No. 9092 of 1989) in paragraphs 5 and 6 the learned Judge virtually charges the Petitioner with material suppression of facts and, in

effect, observed that the Court ought to be taking serious view against the conduct of the Petitioner inasmuch as he has suppressed the material facts from the Court but regard being had to certain circumstances, steps were not being taken.

4. In the circumstances, this Court is not inclined to interfere in this Letters Patent Appeal on the order dated 7 August, 2002 in C.W.J.C. 3725 of 2002.

Dismissed