
(2003) 03 PAT CK 0013
In the Patna High Court
Case No : L.P.A. No. 1308 of 1995

Girish Narain

APPELLANT

Vs

State of Bihar and Others

RESPONDENT

Date of Decision : 03-03-2003

Acts Referred:

Citation : (2003) 2 PLJR 682

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

Bench : Division Bench

Advocate : Dhananjay Kumar, Nigam Kumar and Shuni Prasad, for the Appellant; Anil Kumar Verma and S.D. Yadav, for the Respondent

Final Decision : Allowed

Judgement

1. No long drawn order need be passed on this Letters Patent Appeal. Suffice it to say that this is fourth time the Petitioner has come to the High Court. The petitions filed by the Petitioner were (a) C.W.J.C. No. 448 of 1967 (b) C.W.J.C. No. 1900 of 1970 (c) C.W.J.C. No. 10189 of 1989 and (d) C.W.J.C. No. 2751 of 1995.
2. Of any departmental proceeding which was taken against the Petitioner it did not reach any conclusion and had failed. Of any subsequent proceeding which was taken out against the Petitioner he was ultimately acquitted. The contention of the Petitioner is that he is entitled to receive every conceivable service benefit in terms of equality along with his other colleagues, who were appointed along with him. The court cannot help expressing that the Petitioner is right in his contention.
3. The court has noticed the proceedings which were filed at the High Court. This proceeding carried a considered order.
4. On the last petition the Petitioner did not receive any relief except that he may file representation. Apparently, nothing came out of the representation; otherwise the Petitioner would not be in an appeal before the court. Then, if the

Petitioner had been given the latitude to file a representation it was also an opportunity to the Respondents to restore all the benefits to him.

5. Let the representation of the Petitioner be acted upon within one month from today and as the record stands of the service dues admissible let him receive the benefits in terms of equality along with his other colleagues.

6. Appeal allowed with costs.