
(2002) 02 PAT CK 0093
In the Patna High Court
Case No : L.P.A. No. 202 of 2002

Hardeo Narayan Singh

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

Date of Decision : 11-02-2002

Acts Referred:

Citation : (2002) 2 PLJR 53

Hon'ble Judges : Ravi S. Dhavan, C.J.;Shashank Kr. Singh, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

1. Heard learned Counsel for the Petitioner-Appellant Mr. S.K. Pandey and the counsel for the State Mr. A.N. Singh, S.C. 8.

2. One Writ Petition CWJC No. 10016 of 2001: Hardeo Narayan Singh v. The State of Bihar and Ors. being filed, it was considered. By a detailed order a learned judge on 12 November, 2001 dismissed the writ petition with special costs at Rs. 10,000/- to be deposited with the State Legal Aid Services Authority. Impugning the order on the writ petition a (sic)ers patent appeal being L.P.A. No. 134 2002 had been filed by the Respondent 3 Sharwan Kumar Singh. This letters Respondent appeal came before this Court. Agreements had been addressed at length (sic) subsequently, counsel withdrew the (sic)eal on 28 January, 2002. But this was the end of the matter.

3. Now, the Petitioner-Appellant, who filed the writ petition, has filed the Respondent letters patent appeal against the (sic) judgment and order of the learned (sic) dated 12 November, 2001. The (sic)ed judge has given reasons after have heard/counsel for the parties and ex(sic)ed the record. The learned judge was (sic) opinion that both the Respondent No. (sic) the Petitioner-Appellant had materi-(sic)uppressed facts from the High Court, (sic)ly noticed, the learned judge had ted that the petition was frivolous suffered from material suppression of on the ground that (a) copy of the permit of the Petitioner was

not made (sic) the record nor bare minimum de(sic) where mentioned in the petition to out a prima facie case, (b) the (sic) did not disclose the period for the permit was granted to the Petitioner the route and the schedule had also (sic) stated and (c) of an order re-dated 8 March, 2000 as having (sic)assed by the Darbhanga Regional (sic) Authority, Darbhanga, Respondent No. 2, no reference was made in the (sic)ition that, this order had been su-(sic)d by the order of 2 July, 2001.

4. In the circumstances, the record (sic)t large with concealment of mate-(sic)

5. It may be understood in no uncer-(sic) that the writ jurisdiction expects citizens, who invoke this special on of the High Court, are obliged he truth and nothing but the truth. There must be no material suppression (sic) records because if this happens then this Court will deny relief to the litigants (sic) come with unclean hands. The writ, petitions at the High Court are not decided (sic) the basis of any evidence which may nee(sic) to be taken subsequently but on the basic of pleadings on affidavits. The record (sic) writ petitions rest only on affidavits which refer to State records which may be (sic)pended as copies of facsimile records. B(sic) the court cannot give any indulgence any person whether a citizen invoking remedy or the State answering the petition in return to suppress the record manipulate records.

6. In the circumstances, the court (sic) unable to certify that the learned judge has committed any error; firstly, in dismissing the writ petition and secondly, in imposing costs.

7. Dismissed.