

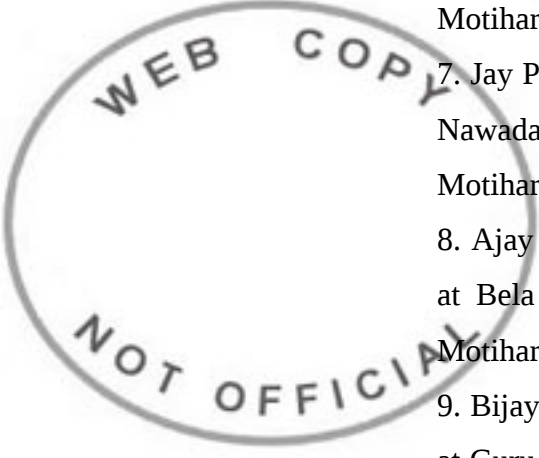
IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8523 of 2014

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1. Firoz Wakt, Son of Latifurahaman Ganj No.02, Kanjar Toli, Bettiah, P.S. Bettiah Town, District - West CHamparan
 2. Anil Kumar Pathak Son of Ram Bachandeo Pathak Resident of Village - Matiyariya, P.S. Lauriya, District - West Champaran
 3. Ashok Kumar Verma Son of Late Indradeo Lal Banuchhapar, Bettiah, P.S. Bettiah Muffasil, District - West Champaran
 4. Deepak George Son of Sri George Dicruz resident of Christian Quarters, Bettiah, P.S. Bettiah Town, District - West Champaran
 5. Srikant Upadhyay Son of Late Shanker Upashyay resident of Banuchhapar, P.S. Bettiah (Muffasil), District - West Champaran, Bettiah
 6. Prabhu Mahato Son of Late Agannath Mahto resident of Pirari, P.S. Mainatar, District - West Champaran
 7. Binda Prasad Yadav Son of Late Jata Raut resident of Gaunha, P.S. Gaunaha, District - West Champaran
 8. Sunil Kumar Verma Son of Late Dhurupdeo Prasad resident of Khauriya, P.S. Sathi District - West Champaran
 9. Jitendra Kumar Verma Son of Ram Singhasan Prasad resident of Jaiprakash Nagar, ITI Colony Bettiah, P.S. Bettiah Muffasil, District - West Champaran
 10. Lalan Prasad Son of Brahmdeo Prasad resident of Banuchhapar, P.S. Bettiah Muffasi, District - West Champaran

.... Petitioner/s

Versus

1. The Uttar Bihar Gramin Bank, through it's Chairman, Head Office, Uttar Bihar Gramin Bank, Kalambag Chowk, Muzaffarpur
2. The General Manager, Head Office, Uttar Bihar Gramin Bank, Kalambag Chowk, Muzaffarpur
3. The Regional Manager, regional Office, Uttar Bihar Gramin Bank at Bettiah, P.S. Bettiah, Distt. - West Champaran
4. The Regional Manager, Regional Officer, Uttar Bihar Gramin Bank, P.S. Bagaha Distt. West Champaran
5. The Chief Manager H.R.D. Head Officer, Uttar Bihar Gramin Bank, Kalambagh Chowk, Muzaffarpur

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6. Mr. Prem Kumar Father's name not Known to the petitioners, posted at Bariyapur Branch of Uttar Bihar Gramin Bank in Motihari (North) region, Motihari, District - East Champaran.
 7. Jay Prakash Gupta Fathers name not Known to the petitioners, posted at Nawada Branch of Uttar Bihar Gramin Bank in Motihari (S) region, Motihari, District - East Champaran.
 8. Ajay Kumar Nandan Fathers name not known to the petitioners, posted at Bela Branch of Uttar Bihar Gramin Bank in Motihari (N) region, Motihari, District - East Champaran
 9. Bijay Kumar Srivastav fathers name not known to the petitioners, posted at Guru Bazar Branch of Uttar Bihar Gramin Bank, region, Purnea, District - Purnea
 10. Chandra Shekhar Singh fathers name not Known to the petitioners, posted at Ranipatra Branch of Uttar Bihar Gramin Bank, region, Purnea, District - Purnea
 11. Umesh Prasad Singh Fathers name not Known to the petitioners, posted at RO. Branch of Uttar Bihar Gramin Bank in Siwan (W)region, Siwan, District - Siwan
 12. Nand Kishore Dwivedy Fathers name not known to the petitioners, posted at Mehshi Branch of Uttar Bihar Gramin Bank, in Motihari (S) region, Motihari, District - East Champaran
 13. Niranjana Prasad Singh Fathers name not known to the petitioners, posted at Katsa Branch of Uttar Bihar Gramin Bank, region, Chapra, District - Arrah
 14. Anil Kumar Singh, Fathers name not known to the petitioners, posted at Hussainganj Branch of Uttar Bihar Gramin Bank, in Siwan (W) region, Siwan, District - Siwan
 15. Ram Kumar Tiwary Fathers name not known to the petitioners, posted at Marhowrah Branch of Uttar Bihar Gramin Bank, region, Chapra, District - Arrah
 16. Ratneshwar Jha Fathers name not known to the petitioners, posted at Golabbag Branch of Uttar Bihar Gramin Bank, region, Purnea, District - Purnea
 17. Ratan Kumar Singh Fathers name not known to the petitioners, posted at Sonbarsa Acheri of Uttar Bihar Gramin Bank, region Saharsa, District -

Saharsa

18. Bhola Kumar Jha Fathers name not known to the petitioners, posted at RO. Branch of Uttar Bihar Gramin Bank, region Darbhanga, District - Darbhanga

19. Bharat Prasad Fathers name not Known to the petitioners, posted at Barhani Branch of Uttar Bihar Gramin Bank, in Siwan (W) region Siwan, District - Siwan

20. Ranjan Fathers name not known to the petitioners, posted at Saharsa Branch of Uttar Bihar Gramin Bank, in Saharsa region Saharsa, District - Saharsa

21. Rama Shankar Singh Fathers name not known to the petitioners, posted at Siso Branch of Uttar Bihar Gramin Bank, region Darbhanga, District - Darbhanga

22. Chandra Shekhar Kumar Fathers name not known to the petitioners, posted at Sarsi Branch of Uttar Bihar Gramin Bank, region, Purnea, District - Purnea

23. Bihsnu Deo Sao Fathers name not Known to the petitioners, posted at Aimurtinagar Branch of Uttar Bihar Gramin Bank, in Motihari (N) region, Motihari, District - East Champaran

24. Shyam Kishor Singh Fathers name not Known to the petitioners, posted at Hajipur Branch of Uttar Bihar Gramin Bank, region, Vaishali, District - Vaishali

25. Praveer Bharti Fathers name not Known to the petitioners, posted at Kursela Branch of Uttar Bihar Gramin Bank, region, Purnea, District - Purnea

26. Santosh Kumar Mishra Fathers name not known to the petitioners, posted at RO. Branch of Uttar Bihar Gramin Bank, region, Hajipur, District - Vaishali

27. Samit Sharan Fathers name not known to the petitioners, posted at Chandpura Branch of Uttar Bihar Gramin Bank, region, Hajipur, District - Vaishali

28. Awanish Kumar Fathers name not known to the petitioners, posted at OPR (HO) Branch of Uttar Bihar Gramin Bank, region Head Office

29. Sanjay Kumar Srivastava Fathers name not known to the petitioners, posted at Brahampur Branch of Uttar Bihar Gramin Bank, region,



Jhanjarpur, District - Madhubani

30. Tripurari Chaturvedi Fathers name not known to the petitioners, posted at Singheshwar Branch of Uttar Bihar Gramin Bank, region, Madhepura, District - Madhepura

31. Saurabh Karmakar Fathers name not known to the petitioners, posted at RO. Branch of Uttar Bihar Gramin Bank, region, Bagha, District - West Champaran

32. Akanksha Fathers name not known to the petitioners, posted at RO. Branch of Uttar Bihar Gramin Bank, region, Hajipur, District - Vaishali

33. Umesh Prasad Singh Fathers name not Known to the petitioners, posted at RO. Branch of Uttar Bihar Gramin Bank, in Siwan (M) region, Siwan, District - Siwan

34. Amresh Kumar Fathers name not known to the petitioners, posted at Pokhrai Branch of Uttar Bihar Gramin Bank, region, Muzaffarpur, District - Muzaffarpur

35. Chandra Deo Baitha Fathers name not known to the petitioners, posted at Raipur Branch of Uttar Bihar Gramin Bank, region, Sitamarhi, District - Sitamarhi

36. Jailal Ram Fathers name not known to the petitioners, posted at Simarwara Branch of Uttar Bihar Gramin Bank, region, Hajipur, District - Hajipur

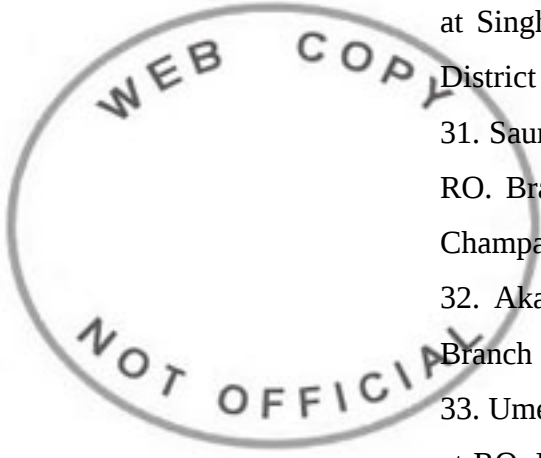
37. Krishna Nand Shafi Fathers name not Known to the petitioners, posted at Bajitpur Branch of Uttar Bihar Gramin Bank, region Benipur

38. Sanjeev Kumar Fathers name not known to the petitioners, posted at Kunauli Branch of Uttar Bihar Gramin Bank, region, Saharsa, District - Saharsa

39. Birendra Paswan Fathers name not known to the petitioners, posted at Ithari Branch of Uttar Bihar Gramin Bank, region, Saharsa, District - Saharsa

40. Sanjeev Kumar Fathers name not Known to the petitioners, posted at Dhaka Branch of Uttar Bihar Gramin Bank, in Motihari (N) region, Motihari, District - East Champaran

41. Dinesh Kumar Paswan Fathers name not known to the petitioners, posted at Pahsaul Branch of Uttar Bihar Gramin Bank, region, Munzaffarpur, District - Muzaffarpur



42. Gajendra Paswan Fathers name not known to the petitioners, posted at Dhong Branch of Uttar Bihar Gramin Bank, region, Sitamarhi, District - Sitamarhi

43. Arjun Ram Fathers name not Known to the petitioners, posted at Deoria Branch of Uttar Bihar Gramin Bank, region, Muzaffarpur, District - Muzaffarpur

44. Satrugan Das Fathers name not known to the petitioners, posted at Mile Chowk Branch of Uttar Bihar Gramin Bank, region, Hajipur, District - Vaishali

45. Sudama Ram Fathers name not known to the petitioners, posted at Jamobazar Branch of Uttar Bihar Gramin Bank, in Siwan (E) region, Siwan, District - Siwan

46. Shambhu Ram Fathers name not Known to the petitioners, posted at Chailaha Branch of Uttar Bihar Gramin Bank, in Motihari (N) region, Motihari, District - East Champaran

47. Narendra Kumar Rajak Fathers name not known to the petitioners, posted at Mangalpur Branch of Uttar Bihar Gramin Bank, region, Bettiah, District - West Champaran

48. Rameshwar Ram Fathers name not known to the petitioners, posted at Puranchapra Branch of Uttar Bihar Gramin Bank, region, Motihari (S), District - East Champaran

49. Basudeo Ram Fathers name not known to the petitioners, posted at Bakulahar Branch of Uttar Bihar Gramin Bank, region, Bettiah, District - West Champaran

50. Nand Lal Kumar, Fathers name not known to the petitioners, posted at Gayghat Branch of Uttar Bihar Gramin Bank, region, Motihari (N), District - East Champaran

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate.

For the Respondent/s : Mr. Prabhakar Jha, Advocate.

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 26-02-2015

Heard learned counsel for the parties.

2. Having regard to the admitted fact that during the pendency of this writ application, all the petitioners had appeared in the subsequent promotional test and while rest of the petitioners have succeeded and have been promoted, the petitioner no. 1 has again failed, this writ application, in the considered opinion of this Court, has become infructuous for a simple reason that now the relief sought in this writ application assailing the result of the first examination will have no relevance.

3. The moment, this Court has been made aware of the fact that the petitioner no. 1 has failed in the second examination also, he now cannot get any relief on the basis of the result of the first examination because he has already appeared in the second examination without reserving his right to raise the issue in this writ application. Had the petitioner no. 1 not appeared in the second examination, he could have maintained this writ application but having appeared in the second examination, in which he has failed and his other friends i.e. the rest of the petitioners have succeeded, he cannot be allowed to blow hot and cold in the same breath.

5. That being so, this writ application must fail and is accordingly dismissed.

6. It is, however, made clear that nothing said in this order will come in the way of the petitioner no. 1 to assail the result of the second examination.

(Mihir Kumar Jha, J)

Sujit/-

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