

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16527 of 2012

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1. Ram Sharan Singh Son Of Late Rahin Prasad Singh Permanently Resident Of Village - Saidpur, P.O. - Laskari, P.S. - Rajoun, District - Banka, At Present Residing At Bhagalpur, S.C. Banerjee Road, Adampur, P.S. - Adampur, District - Bhagalpur

.... Petitioner

Versus

1. The State Of Bihar through Secretary, Department Of Law, Bihar, Patna
2. The District Magistrate, Bhagalpur
3. The Senior Deputy Collector Law Department, Bhagalpur
4. The Public Prosecutor, Bhagalpur

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Dharendra Nath Jha

For the Respondent/s : None

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 07-12-2015 Heard the counsel for the petitioner. No one has appeared on behalf of the State.

Petitioner is an advocate at the Bhagalpur Civil Court. He was engaged/appointed as APP by the State Government. The writ application has been filed aggrieved by the order dated 31.07.2012 issued from the Legal Cell of the office of the District Magistrate, Bhagalpur requesting the Public Prosecutor, Bhagalpur, not to allot any work/brief to the petitioner and to get all the pending briefs with him returned to the Public Prosecutor.

It is submitted no opportunity was given by the

respondent before passing the impugned order. Indisputably, the Government in the Law Department is the appointing/engaging authority of the APP. Any such grievance ought to have been first raised before the Government.

The writ application stands disposed of permitting the petitioner to approach the Government in the Department of Law against the aforesaid order (Annexure-1).

(Kishore Kumar Mandal, J)

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