

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.13 of 2015

In

Miscellaneous Jurisdiction Case No. 101 of 2005

- =====
1. Renu Kumari, W/O Sri Ajay Kumar, R/O Vill-Shastrinagar, Dharamkanta Road, (near Konark Talkiz), District-Munger, Bihar.
 2. Rajiv Kumar Nayan, S/O Bishnudeo Yadav, At-Basua, P.O.-Piparpantee, P.S. Pasraha, Dist. Khagaria.
 3. Vimal Prakash Mandal, S/O Late Badri Mandal, Village- Harichak, P.O. Kashdeeh, P.S. Antichak, Via-Kahalgaon, Distt. Bhagalpur.
- Appellants

Versus

1. State of Bihar,
2. The Principal Secretary, Finance Department,
Government of Bihar, Patna.

.... Respondents

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Appearance :

For the Appellant : Mr. Sadanand Paswan, Advocate

For the State : Mr. S.Arshad Alam, S.C.-3

with

Mr. Fakhruddin Ali Ahmad, A.C. to S.C.-3

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2015 Office objection is overruled.

Re: I.A. No.51 of 2015

Heard Mr. Sadanand Paswan, learned counsel for the appellants, and Mr. S. Arshad Alam, learned Standing Counsel No.3, appearing for the State.

The appellants herein are not parties to the proceedings that were disposed of through the common order dated 16.07.2014 passed in M.J.C. No.101 of 2005 and other analogous cases. The appellant-petitioners state that since they

are immediately affected by the common order dated 16.07.2014, they have filed a leave petition (I.A. No.51 of 2015) to prefer the present appeal.

Considering the fact that the appellants herein were not impleaded as parties to the proceeding and the order, dated 16.07.2014 passed in M.J.C. No.101 of 2005 and other analogous cases, adversely affects their interests, we are of the view that the appellants deserve to be granted leave.

I.A. No. 51 of 2015 is ordered accordingly.

This L.P.A. is preferred against the common order dated 16.07.2014 passed in M.J.C. No.101 of 2005 and other analogous cases.

Heard learned counsel for the appellants, and the learned counsel for the respondents.

The common order dated 16.07.2014 covers several miscellaneous jurisdiction cases. It is brought to our notice that L.P.A. No.1159 of 2014 was preferred against the very common order so far as it relates to certain M.J.Cs. A Division Bench of this Court, of which one of us (I.A. Ansari,J.) is a member, allowed the said appeal and has set aside the order passed in M.J.C. No.101 of 2005 and other analogous cases.

For the same reason assigned in the common order

dated 21.10.2014 in L.P.A. No.1159 of 2014, we allow this
L.P.A. also.

Interlocutory application, if any, shall stand disposed
of.

(L. Narasimha Reddy,CJ)

(I. A. Ansari, J)

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