

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.704 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 17772 of 2013**

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1. Md. Hasibur Rahman, Son of Late Md. Afsar Ali Resident of Village Bari Gidar Mari, Police Station-Barari, District-Katihar
 2. Md. Noor Alam Son Of Munsif Md. Tasnif Hussain Resident Of Ahmadpur Police Station-Kadwa, District-Katihar
 3. Md. Zubair Alam Son Of Md. Hamidur Rahmad Resident of Village Parlia Taiyabpur Police Station- Kadwa, District-Katihar

.... Appellants

Versus

1. The State of Bihar
2. The Commissioner Cum Secretary Department of Education, Government of Bihar, Patna
3. The Director Primary Education, Government of Bihar, Patna
4. The Bihar Staff Selection Commission (BSSC) Through Its Secretary, Veterinary College, Patna-14
5. Kawita Kumari Chakrawarty Daughter of Jagdish Sah resident of Village-Aminabad Miltola Police Station-Barari, District-Katihar
6. Sarojni Kumari Daughter of Lakhan Mahto resident of Village-Durgapur Kuswaha Tola, Police Station-Barari, District-Katihar
7. Md. Zubair Alam Shafiqui Son of Md. Shafiqul Haque, resident of Village-Parlia Taiyabpur Police Station-Kadwa, District-Katihar
8. Shoukat Ali Son of Abdul Mannan resident of Village-Bishanpur, Police Station-Korha, District-Katihar
9. Md. Ibrahim Son of Late Abdul Mannan resident of Village-Chhoti Kachwa, Police Station-Barari District-Katihar
10. Md. Yusuf Alam Son of Md. Waizuddin resident of Village-Usri Tola, Balwa Police Station-Barari District-Katihar
11. Md. Yunus Alam Son of Md. Bilal Hussain resident of Village-Giddha Bari Police Station-Barari District-Katihar
12. Md. Shamim Akhtar Son of Abdul Jabbar resident of Village- Quaimi Police Station-Kasba District- Purnea
13. Md. Manzer Alam Son of Md. Reyazuddin resident of Village- Dogachhi Police Station-Kasba District- Purnea
14. Md. Alimuddin Nazif Son of Md. Salimuddin resident of Village- Dogachhi Police Station-Kasba District- Purnea
15. Vishwanath Pandit Son of Late Satya Narayan Pandit resident of Village-Khaira Police Station-Falka District-Katihar
16. Budhdeo Mandal Son of Sri Ganesh Lal Mandal resident of Village-Bhareli Police Station-Falka District-Katihar
17. Gurudev Kumar Premi Son of Sri Ganesh Thakur resident of Village-Kherya Police Station-Kursela, District-Katihar
18. Mahendra Sahani Son of Sri Sundar Sahani resident of Village-Naya Tola Police Station-Falka District-Katihar
19. Krishan Menon Kusum Son of Late Madho Mandal resident of Village-Malharia Police Station-Falka District-Katihar
20. Md. Atiqur Rahman Son of Md. Habibur Rahman resident of Village- Qaimi

Police Station-Kasba District- Purnea
21. Md. Tauhid Alam Son of Sheikh Jamaluddin resident of Village-Dharia, P.S.-
Amour District-Purnea

.... Respondents

Appearance :

For the Appellants : Md. Anis Akhtar, Advocate.
Mr. Arif Daula Siddiqui, Advocate.
For the State : Mr. M.K. Sinha, S.C.-1

CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA
and
HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 18-07-2016

Re.:I.A. No. 2949 of 2015

The application is for condonation of delay of 372 days in
filing the Letters Patent Appeal.

2. For the reasons mentioned in the Interlocutory
Application, we are satisfied that the appellants have shown sufficient
cause to seek condonation of delay of 372 days in filing the present
Letters Patent Appeal.

3. Consequently, Interlocutory Application No. 2949 of
2015 is allowed and delay of 372 days in filing the Letters Patent
Appeal is condoned.

Re.: L.P.A. No. 704 of 2015

Learned counsel for the appellants points out that the
writ application was decided in the light of the judgment passed in
C.W.J.C. No.17899 of 2012 on 15th of January, 2014. On the same

day, C.W.J.C. No.16969 of 2013 was also decided in the light of the judgment in C.W.J.C. No.17899 of 2012. Letters Patent Appeal No.1491 of 2014 arising out of C.W.J.C. No.16969 of 2013 stands decided by a Division Bench of this Court on 24th of March, 2015. The order passed by the learned Single Bench stands affirmed by the Letters Patent Appeal.

Therefore, for the reasons recorded in the order dated 24th of March, 2015 passed in L.P.A. No.1491 of 2014, the present Letters Patent Appeal is also dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

P.K.P./Anand

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