

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No 870 of 2014

IN

Civil Writ Jurisdiction Case No 14294 of 2012

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Jairam Sinha son of Sri Banke Bihari Sinha resident of Under Ground Building
Behind Nalanda Medical College, Bhuthnath Road, P.S. Agamkuan, District - Patna

.... Appellant/s

Versus

1. The State of Bihar
2. The Vice Chancellor, Magadh University, Bodh Gaya, At + P.O. Bodh Gaya, District - Gaya
3. The Registrar, Magadh University, Bodh Gaya, At + P.O. Bodh Gaya, District - Gaya
4. The Finance officer, Magadh University, Bodh Gaya, At + P.O. Bodh Gaya, District - Gaya
5. The Principal Secretary, Human Resources Development Department, (Higher Education), Govt. of Bihar, Patna
6. The Principle T.P.S. College, Patna, Town and District - Patna
7. Shiv Prakash Dwivedi posted as Steno - cum - Typist T.P.S. College, Patna, Town and District - Patna

.... Respondent/s

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Appearance :

For the Appellant/s : Mr Devendra Kr Singh & Ms Uma Kumari, Advocates

For Respondent No 7 : Mr Gyanand Roy, Advocate

For the S t a t e : Dr Raj Kumar Singh, AC to SC 8

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CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH

And

HON'BLE JUSTICE SMT NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR JUSTICE NAVANITI PRASAD SINGH)

Date: 04-01-2016

IA No 4593 of 2014 has been filed for condoning the delay in filing the appeal. The private contesting respondent has also appeared.

2 Heard. Delay in filing the appeal is condoned.

3 With consent of parties, this appeal is being heard for its final disposal at this stage itself.

4 The learned Single Judge has refused to entertain the writ petition as during pendency of the writ petition, the writ petitioner, who is the appellant, has superannuated. He was contesting for the post of Head Clerk vis-à-vis the private respondent in the writ proceedings who also superannuated.

5 In our view, the learned Single Judge was correct as no cause to pursue subsisted when the writ petition was taken up for final hearing, parties having superannuated.

6 We are, therefore, not inclined to interfere in the matter. This appeal is, accordingly, dismissed.

(Navaniti Prasad Singh, J)

M.E.H./-

(Nilu Agrawal, J)

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