IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.473 of 2014

Arising out of

Civil Writ Jurisdiction Case No. 7542 of 1996

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1. The State of Bihar
2. The Secretary to the Govt. of Bihar, Department of Animal Husbandry, Govt. Of Bihar, New Secretariat, Patna
3. The Director, Department of Animal Husbandry, Govt. of Bihar, New Secretariat, Patna
4. The Regional Director, Muzaffarpur, Department of Animal Husbandry Officer,
5. The District Animal Husbandry Officer, District- Muzaffarpur
6. The District Animal Husbandry Officer, Null District- Vaishali
7. The District Animal Husbandry Officer, Null District- East Champaran
8. The District Animal Husbandry Officer, District- West Champaran, Bettiah
9. The District Animal Husbandry Officer, District- Sitamarhi

.... Respondents/Appellants

Versus

1. Nawal Kishore, Son of Shri Kameshwar Thakur, Resident of Village- Dronpur, P.O. Jhapahan, P.S.- Ahiyapur, District- Muzaffarpur
2. Lakshmi Prasad, Son of Sri Ram Briksha Prasad, Resident of Village- Dharampur, P.O. Kharauna Dih, District- Muzaffarpur
3. Seema Kumari, Wife of Arvind Kumar, son of Sri Achyuta Nand Prasad, Resident of Village- Senduari Gan Singh, P.S. Motipur, District- Muzaffarpur
4. Aasu Kumari, (Minor Daughter of Seema Kumari), Daughter of Arvind Kumar, Son of Sri Achyuta Nand Prasad, Resident of Village- Senduari Gan Singh, P.S. Motipur, District- Muzaffarpur
5. Nisu Kumari (Minor Daughter of Seema Kumari), Daughter of Arvind Kumar, Son of Sri Achyuta Nand Prasad Resident of Village- Senduari Gan Singh, P.S. Motipur, District- Muzaffarpur
6. Sanjay Kumar, Son of Sri Bachnoo Lal, Resident of Village Basaitha, P.O. Basantpur Patti, District- Muzaffarpur
7. Sanjay Kumar, Son Of Sri Uma Prasad Singh, Resident of Village- Madan Chhapara, P.O. Fatehabad, District- Muzaffarpur
8. Anil Kumar Singh, Son of Sri Surendra Singh, Resident of Village- Sakarwara, P.O. Jarang, District- Muzaffarpur
9. Dhrub Sah, Son of Adalat Sah, Resident of Village And P.O. Majharia, District- Gopalganj
10. Indra Mohan Singh, Son of Sri Krishna Bahadur Singh, Resident of Village- Madaul, P.O. Manpur, Ratnauli, District- Muzaffarpur
11. Mohan Rai, Son Of Sri Bujhawan Rai, Resident of Village Ramgarhwa, P.O. Rajpur, District- East Champaran
12. Sunil Kumar Thakur, Son of Sri Radhey Shyam Thakur, Village And P.O. Kalyanpur, District- East Champaran
13. Indu Bhushan Sahai, Son of Hriday Narain Sahay, Resident of Village- Serdudriganj, P.O. Motipur, District- Muzaffarpur
14. Aaditya Kumar, Son of Sri Sukhdeo Singh, Resident And P.O. Panapur, District- Muzaffarpur
15. Shev Kumar, Son of Ram Dinesh Mishra, Resident of Village- Kharauna, P.O. Narsinghpur, District- Muzaffarpur
16. Ajay Prasad, Son of Sri Deo Narain Prasad, Resident of Village- Pipararhi, P.O. Akhta, District- Sitamarhi
17. Manoj Kumar, Son of Sri Sukul Sharma, Resident of Mohalla- Mithanpura, P.O. M.I.T., District- Muzaffarpur

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18. Ram Bahadur Pandit, Son of Sri Harshit Pandit, Resident of Village Jailakh, P.O. Sakarpura, District- Begusarai
19. Sunil Kumar Mandal, Son of Sri Fauzdar Mandal, Resident of Village- Mirganj, P.O. Gohari, District- Khagaria
20. Dharu Lal Ram, Son of Sri Ram Jitan Ram, Resident of Village- Rai Patti, P.O. And P.S. Dighwara, District- Saran
21. Md. Nayaz, Son of Md. Said, Resident of Village And P.O.- Pakari Pakahi, District- Muzaffarpur
22. Ajay Kumar, Son of Sri Ram Shobhit Paswan, Resident of Village And P.O. Shahpur Maricha, District- Muzaffarpur
23. Md. Aftab Alam, Son of Md. Shariful Rahman, Resident of Village- Mananpur, P.O. Runni Saidpur, District- Sitamarhi
24. Arvind Kumar, Son of Sri Nageshwar Pandey, Resident of Village- Merunaha, P.O. Singar Prabhulakaha, District- Muzaffarpur
25. Vijay Kumar Singh, Son of Sri Rajni Singh, Resident of Village- Hira Nandpur, P.O. Kothia, District- Patna
26. Ramesh Paswan, Son of Sri Gajadhar Paswan, Resident of Village Narayanpur, P.O. Patahi, District- Muzaffarpur
27. Lal Baboo Rajak, Son of Sri Baleshwar Baitha, Resident of Village And P.O. Patahi, District- Muzaffarpur
28. Amal Prasad, Son of Late Thakur Sah, Resident of Village Gahiri Kothi, P.O. Victoria Mission, District- West Champaran
29. Anjani Kumar Verma, Son of Rakeshwar Prasad, Resident of Village And P.O. Bakhari Bazar, District- East Champaran
30. Dharmendra Kuma,r Son of Sri Raman Kumar, Resident of Village- Chhoti Bariarpur, District East Champaran
31. Awadh Kumar Prasad, Son of Late Yogendra Prasad Sharma, Resident Of Village- Siswania, P.O. Ramgarhwa, District- East Champaran
32. Ram Balak Prasad, Son of Sri Dhaneshwar Mahato, Resident of Village- Kanarcholi P.O. Barajairan, District- East Champaran
33. Ram Nath Prasad, Son of Sri Dhaneshwar Prasad, Resident of Village- Kanarcholi P.O. Barajaiaaram, District- East Champaran
34. Sudarshan Sao, Son of Sri Uma Shankar Prasad, Resident of Village Bania Patti, District- Motihari
35. Upendra Prasad, Son of Sri Hanuman Prasad, Resident of Village Mishrawalia, District- East Champaran
36. Girish Nandan Prasad, Son of Sri Baliram Prasad, Resident Of Village And P.O. Barajai Ram, District East Champaran
37. Dinesh Kumar Mishra, Son of Sri Jamadar Mishra ,Resident Of Village Pandey Tola, P.S. Paharpur, District- East Champaran
38. Sanpoorna Nand, Son Of Sri Shyam Sundar Prasad, Resident of Mohalla Hanuman Garhi, P.O. Motihari, District- East Champaran
39. Ram Narain Prasad, Son of Sri Bhairaw Prasad, Resident of Village- Sripur Rampur, P.O. Sripur, District- East Champaran
40. Nawin Kumar, Son of Sri Shatrughan Prasad Srivastav, Resident of Village Chhota Bariarpur, P.S. Kotihari, District- East Champaran
41. Ashok Kumar, Son of Sri Ramchandra Tiwari, Resident of Village Janerawa, P.S. Areraj, District- East Champaran
42. Mrityujay Kumar Shrivastava, Son of Sri Purusottam Prasad, Resident Of Village And P.O. Damodarpur, District- East Champaran
43. Sunil Kumar, Son of Sri Dasrath Prasad, Resident of Village Senduari, P.O. Motipur, District- Muzaffarpur
44. Ranjit Kumar, Son of Sri Mohan Prasad Sah, Resident of Village And P.O. Janta, P.S. Gaighat, District- Muzaffarpur

.... Petitioners/Respondents

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Appearance :
For the Appellants : Mr. S.D. Yadav, AAG IX with
Mr. Dharmendra Kumar, A.C. to AAG IX
For the Respondents : M/S Sanjeev Kumar, Vijan Kumar Singh &
Sheel Bhadra Jha, Advs.

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

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

WEB COPY NO

6 19-08-2016 The order, dated 8th July, 2013, passed in C.W.J.C. No. 7542 of 1996, is the subject matter of the challenge in the present appeal wherein the Principal Secretary, Animal Husbandry Department, Government of Bihar, Patna, was directed to consider the claim of the petitioners-respondents in terms of the Circular No. 489, dated 10.05.2005.

Since the matter has been directed to be decided by the State Government, we do not find that State can have any possible grievance against such a direction. However, while deciding the claim of the writ petitions in the light of the said Circular, the State shall take into consideration the Circulars issued from time to time including Full Bench decision of this Court reported in 2013(1) P.L.J.R., 964 (Ram Sevak Yadav Vrs. The State of Bihar & Anr.).

This appeal is disposed off in the terms of the above terms.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

Cp:2 SA/-

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