

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No. 802 of 2015

Arising out of

Civil Writ Jurisdiction Case No. 18813 of 2013

Along with

Interlocutory Application No. 3371 of 2015

- =====
1. Md. Mansoor Alam Son of Late Md. Ismail Resident of Village and Post Office - Manman, Police Station - Barsoi, District - Katihar.
 2. Md. Muzaffar Hussain Ansari Son of Md. Shamsuzzoha Ansari Resident of Village - Lahgaria, Police Station - Barsoi, District - Katihar.

.... Appellant/s

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.

.....RespondentRespondent 1st Set

5. Abdus Salam Son of Ausaf Ali Resident of Village - Palsa, Police Station - Amour, District - Purnea.
6. Md. Sohilul Haque Son of Md. Ainul Haque, Resident of Village - Doria, Police Station - Amour, District - Purnea.
7. Md. Ziaul Haque Son of Rustam Ali Resident of Village - Durgapur, Police Station - Barari, District - Katihar.
8. Sulochna Kumari Daughter of Late Chedilal and Wife of Dinesh Prasad Singh Resident of Village and Post Office - Sukhasan, Police Station - Barsoi, District - Katihar.
9. Md. Afroz. Son of Khalilur Rahman, Resident of Village - Dahuwa Bari, Police Station - Amour, District - Purnea.
10. Md. Idris. Son of Md. Salimuddin, Resident of Village - Palsa, Police Station - Amour, District - Purnea.
11. M. Quasum Alam Son of Late Sk. Kalimuddin Resident of Village - Dharia, Police Station - Amour, District - Purnea.
12. Md. Arif. Son of Sk. Gani Mohammad Resident of Village - Kohbara, Police Station - Amour, District - Purnea.
13. Shabbir Ahmad Son of Masiur Rahman Resident of Village - Kohbara, Police Station - Amour, District - Purnea.
14. Ghulam Sarvar Son of Md. Ibrahim Resident of Village - Kohbara, Police Station - Amour, District - Purnea.
15. Abdul Razzaque Son of Abdul Auwal Resident of Village - Tara Bari, Post Office - Asja Mohiya, Police Station - Amour, District - Purnea.
16. Satiur Rahman Son of Sk. Shamsuddin Resident of Village - Farsa Denga, Post Office - Asja Mohiya, Police Station - Amour, District - Purnea.
17. Md. Ashfaque Alam Son of Rafiuddin, Resident of Village - Doriya, Police Station - Amour, District - Purnea.
18. Md. Aminuddin Son of Sk. Atimuddin, Resident of Village - Belgachhi, Police Station - Amour, District - Purnea.
19. Md. Zahirul Haque Son of Abdul Jalil Resident of Paharia, Post Office - Kharharia via Baisi, District - Purnea.

20. Md. Shafi Ahmad Son of Md. Shamsuddin Resident of Village - Mobaiya, Police Station - Amour, District - Purnea.
21. Md. Jamaluddin Son of Abdul Jabbar, Resident of village - Pundali, Police Station - Baisi, District - Purnea.
22. Chitranjan Das Son of Sushil Kumar Das Resident of Kilpara, Post Office - Piyaji via Kishanganj, District - Purnea.
23. Kripa Nath Mandal Son of Bishnu Deo Mandal, Resident of village - Rajendra Park, Dumaria Post Office - Chandpur, P.S.- Kursela, District - Katihar.
24. Mahendra Prasad Singh Son of Mahavir Prasad Singh, Resident of village - Rajendra Park, Dumaria Post Office - Chandpur, P.S.- Kursela, District - Katihar.
25. Tauhid Alam Son of Abdul Quadir, Resident of Khopra, Police Station - Azamnagar, District - Katihar.
26. Anjani Kumari. Daughter of Upendra Prasad Yadav Resident of Tikapatti, Post Office - Police Station - Tikapatti, District - Purnea.

.... Respondent/s

Appearance :

For the Appellant/s	:	Mr. Md. Anis Akhtar & Mr. Mahtab Alam, Advocate
For the State	:	Mr. S. R. Rahman, A.C. to G.P. 24
For the BSSC	:	None

CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA
and
HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)
Date: 04-08-2016

Re.: Interlocutory Application No. 3371 of 2015

The application is for condonation of delay of 1 year and 46 days in filing of the appeal.

For the reasons mentioned in the application, we find that sufficient cause is disclosed for condonation of delay. Consequently, the delay of 1 year and 46 days in filing of the appeal is condoned.

Interlocutory Application stands allowed accordingly.

Re.: Letters Patent Appeal No. 802 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 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.)

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AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	