

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1707 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 5974 of 2015**

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Ramanuj Prasad, aged about 55 years, Son of Mahendra Prasad, presently posted as Principal (under suspension), D.A.V. Public School B.S.E.B. Colony, P.S.- Shastri Nagar, District and Town- Patna.

.... Appellant/s

Versus

1. The Bihar State Power (Holding) Company Limited its Chairman cum Managing Director, Vidyut Bhawan, Bailey Road, Patna.
2. The Chairman cum Managing Director, the Bihar State Power (Holding) Company Limited Vidyut Bhawan, Bailey Road, Patna.
3. The General Manager (HR & Admin), Bihar State Power (Holding) Company Ltd. cum Chairman of the Local Managing Committee of the DAV, BSEB Colony, having office at Vidyut Bhawan, Bailey Road, Patna.
4. The DAV College Managing Committee, (DAVCMC) through its General Secretary, Chitra Gupta Road, N. Delhi- 110055.
5. The General Secretary, DAV College Managing Committee, (DAVCMC) through its General Secretary, Chitra Gupta Road, N. Delhi- 110055.
6. Indrajeet Rai, Incharge Principal cum Assistant Regional Director (Patna Zone-I), DAV Public School, BSEB Colony, having office at Vidyut Bhawan Bailey Road, Patna.

.... Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Satyavrat Verma, Advocate.
For the BSPHCL	:	Mr. Anand Kumar Ojha, Advocate.
For the Respondent No. 4 to 6:	:	Mr. Anil Kumar Singh, Mr. Surinder Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 03-05-2016

Heard learned counsel for the parties.

2. The present Letters Patent Appeal is directed against the order dated 3rd July, 2015 passed by the learned single Bench in CWJC No. 5974 of 2015, wherein the writ petition was permitted to be withdrawn but with certain observations.

3. The grievance of the appellant is that the said observation will affect him adversely in the departmental proceedings.

4. We do not find that the present Letters Patent Appeal against an order of withdrawal of the writ petition is maintainable, but we clarify that any observation made by the learned single Bench, before permitting the appellant to withdraw the writ petition, is only for the purpose of the aforesaid withdrawal of the writ petition. Such observation will not be taken into consideration in any other proceedings. Any proceeding initiated against the appellant shall be conducted in accordance with law.

5. The Letters Patent Appeal stands dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

Sujit/Anjani

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