

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.301 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 17342 of 2013**

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1. Md. Jamil Akhtar, Son of Md. Jalaluddin, resident of village - Bamaura, P.O. Bazidpur, P.S. Vidyapati Nagar, District - Samastipur
 2. Md. Mansoor Alam, Son of Md. Tahir Hussain, resident of village and P.O. Dehti via Madanpur, P.S. Palasi, District - Araria
 3. Zeyauddin, Son of Mashlehuddin, resident of village and P.O. Dehti via Madanpur, P.S. Palasi, District - Araria
 4. Shakoor Alam, Son of Md. Hafeezuddin, resident of village and P.O. Dehti via Madanpur, P.S. Palasi, District - Araria
 5. Ashfaque Alam, Son of Sheikh Jamil, resident of village and P.O. Dehti via Madanpur, P.S. Palasi, District - Araria
 6. Prakash Thakur, Son of Ganesh Lal Thakur, resident of village Mirzapur Kothi, P.S. Simraha, District Araria
 7. Balbir Kumar, Son of Dev Sundar Prasad Yadav, resident of village - Masti Fatehpur, P.S. Mufassil Begusarai, District – Begusarai.

.... Appellant/s

Versus

1. The State of Bihar
2. The Principal Secretary Department of Human Resources, Government of Bihar, Patna
3. The Commissioner Cum Secretary Department of Human Resources, Government of Bihar, Patna
4. The Director, Primary Education, Govt. of Bihar, Patna
5. The Director, Research and Training Department of Human Resources, Govt. of Bihar, Patna
6. The Bihar State Staff Selection Commission through its Chairman, Veterinary College, Patna
7. The Secretary, Bihar Staff Selection Commissioner, Veterinary College, Patna
8. Md. Shakil Ansari, Son of Abdul Hamid Ansari, resident of village and P.O. Murawatpur, P.S. Desri, District Vaishali
9. Md. Shahid Alam, Son of Md. Tameezuddin, resident of village and P.O. Doria Sonapur, P.S. Simraha, District Araria

10. Sadanand Mandal, Son of Late Chedi Mandal, resident of village - Hapimuri,
P.O. Rashad, District Purnea
11. Md. Shakir Ahmad, Son of Md. Maniruddin, resident of village - Banki, P.O.
Rupauli, District - Purnea
12. Md. Muslim, Son of Seikh Abul Hassan, resident of village – Ramni, P.O.
Majhwa Kalan via Kasba, District Purnea
13. Md. Mahboob Alam, Son of Dr. Md. Mohiuddin, resident of village -
Pachokonia, P.O. Nimolhat via Shalimari, District Katihar
14. Md. Mobarak Alam, Son of Md. Hanif, resident of village – Hatgachi, P.O.
Tolikola via Kasba District Purnia
15. Abdul Qayum, Son of Abdul Aziz, resident of village - Asiyani, P.O. Tarauna
via Jalalgarh, District - Purnea
16. Ajay Krishna Thakur Son of Sri Kanhaiya Lal Thakur, resident of village -
Kilanpur, P.O. Hemkunaj, P.S. Amdabad, District - Katihar
17. Md. Mushtaque Alam Son of Seikh Ghani Mohammad Resident of village and
P.O. Chakai Via Jokihat, District Araria

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Md. Anis Akhtar, Advocate.
Mr. Arif Daula Siddiqua, Advocate.
For the Respondent/s : Mr. S.Raza Ahmad, AAG-IX
Mr. Vishambhar Prasad, AC to AAG-IX.

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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: 05-05-2016

Re.: Interlocutory Application No.1332 of 2015

The application is for condonation of delay of 311 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 311 days in filing of the appeal is condoned.

Interlocutory Application stands allowed accordingly.

Re.: Letters Patent Appeal No.301 of 2015

The present Letters Patent Appeal is directed against an order dated 15.01.2014 passed by the learned single Bench in CWJC No. 17342 of 2013 which 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)

Sujit/P.Kumar

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