

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.110 of 2017

In

Civil Writ Jurisdiction Case No. 14999 of 2016

- =====
1. The State of Bihar through Secretary, Rural Works Department, Government of Bihar, Patna.
 2. The Secretary, Rural Works Department, Government of Bihar, Patna.
 3. The Deputy Secretary, Rural Works Department, Government of Bihar, Patna.
 4. The Under Secretary, Rural Works Department, Government of Bihar, Patna.

.... Appellants

Versus

Tarique Anwar S/o - Zakir Hussain R/o Mohalla - Raja Bazar, Post - B.V College, P.S. Shastri Nagar, District Patna - 800014.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Prabhu Narayan Sharma

For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR

UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 24-11-2017 Delay of 82 days in filing of the appeal is condoned. I.A. No. 400 of 2017 is allowed and disposed of.

Seeking exception to an order dated 29.9.2016 by the learned Writ Court in C.W.J.C. No.14999 of 2016, this appeal has been filed by the State Government under Clause-X of the Letters Patent.

Even though in a matter of administrative order of transfer, judicial review is very rare and not permissible, but in this case, learned Writ Court finding a pick and choose method



followed in transferring the respondents-petitioners and finding it to be arbitrary, has interfered into the matter.

We see no reason to make any indulgence in the matter.
The appeal stands dismissed.

(Rajendra Menon, CJ)

N.H./-

(Anil Kumar Upadhyay, J)

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