

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.898 of 1996

Phani Bhushan Sinha, son of Shri Uma Shankar Prasad Sinha, resident of Mohalla Ghughri Tarn, P.S. Civil Lines, Town and District-Gaya.

... .. Appellant/s

Versus

- 1. STATE OF BIHAR
- 2. The Commissioner, Magadh Division, Gaya.
- 3. District Magistrate-cum- Collector, Gaya.
- 4. Deputy Collector (Establishment), Gaya.
- 5. Additional Collector, Gaya.
- 6. District Planning Officer, Gaya.

Respondents- Respondents 1st Set.

- 7. Ram Sewak Prasad, son of Shri Sheo Shankar Prasad, resident of Village-Solhanda, P.S. Makdumpur, District- Jehanabad.

... .. Petitioner-Respondent 2nd Set

Appearance :

For the Appellant/s :
For the Respondent No.7 : Mr. Md. Abu Haider, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

8 05-09-2017 From the supplement counter affidavit filed by the legal heirs of respondent No.7, it is seen that after the death of respondent No.7, his legal heirs have been continued in the service and his wife has already been granted all the post retiral benefits. That apart, after the orders were passed by this Court on 15.10.1996, the respondent No.7 was also accommodated and the appellant also continues in his service.

That being so, we see no reason to reopen the issue after more than 21 years, in stead the position as is existing today



should continue and the order passed by the Writ Court shall not adversely affect either the appellant or the legal heirs of respondent No.7.

With the aforesaid, the appeal stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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