

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1266 of 2016

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1. Pankaj Kumar, Son of Rama Shankar Prasad Yadav, Resident of Village- Pervejabad, Baturahi, P.O- Sonepur, District- Saran.
 2. Nisha Bharti Wife of Ranjeet Pandit, Resident of Village- Gita Dedha, P.S.- Hasanpur, District- Samastipur at present 6 Bailey Road, P.O. G.P.O. P.S.- Phulwarisariff, District- Patna.
 3. Vikash Kumar, son of Devendra Rajak, Resident of Akash Ganga, J.K, S/H- 27, Old Jakkanpur, Patna

.... Appellant/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Old Secretariat, Patna.
2. The Principal Secretary General Administration Department, Old Secretariat, Patna.
3. The Commissioner, Patna.
4. The District Magistrate having his office is Collectariate Compound, Patna.
5. The Deputy Collector, Establishment having his office in Collectariate Compound, Patna.
6. The Deputy Collector, Nazarat having his office in Collectariate Compound, Patna.

.... Respondent/s

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Appearance :

For the Appellant/s :
For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 28-07-2017

None is appearing for the appellant.

Having heard learned counsel for the respondent and on going through the records, we find that the learned Writ Court has only remanded the matter back to the District Magistrate, Patna for re-examination with regard to the fact as to whether petitioner is



fulfilling the criteria of having five years experience of 240 days in a year apart from any other Circular or guidelines or policy of the State Government as is applicable in the matter.

The petitioner will have liberty to bring these facts also before the District Magistrate, Patna and the District Magistrate shall evaluate the matter and take a decision within three months from the date of receipt/production of a copy of this order.

With the aforesaid clarification and modification, the order passed, we dispose of the appeal.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C. jha/-

AFR/NAFR	NAFR
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