

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Letters Patent Appeal No.1812 of 2016**

**In**  
**Civil Writ Jurisdiction Case No.5412 of 2014**

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Madhukant Prasad, Son of Madan Mohan Prasad, Resident of Village :  
Chhatneshwar, P.S. : - Warisnagar, District : - Samastipur.

... .. Appellant/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Human Resources Development Department,  
Government of Bihar, Patna.
3. The District Education Officer, Samastipur.
4. The District Programme Officer, Samastipur.

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Dilip Kumar Roy, Advocate

For the Respondent/s : Mrs. Namrata Mishra- GA 6

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**

**ORAL JUDGMENT**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date : 29-11-2017**

**Re.: Interlocutory Application No.8736 of 2016**

Delay of 204 days in filing of the Letters Patent Appeal is  
condoned.

Interlocutory Application stands allowed and disposed of.

**Re.: Letters Patent Appeal No.1812 of 2016**

Considering the fact that the learned Writ Court has found  
that the benefit of the Notification (Annexure-A to the counter  
affidavit dated 7<sup>th</sup> July, 2012) could not be granted to the appellant  
at the relevant time in the year 2014 when the writ petition was  
filed, we see no reason to make any indulgence into the matter.



However, now, in future, as and when vacancy notifies, looking to the qualification acquired by the appellant, his case for appointment shall be considered in accordance with law.

With the aforesaid, the appeal stands disposed of.

**(Rajendra Menon, CJ)**

**( Anil Kumar Upadhyay, J)**

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| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
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