

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1880 of 2016

In
Civil Writ Jurisdiction Case No.8845 of 2013

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Md. Junaid Alam S/O Azizur Rahman R/O Village- Patkoi, P.O.- Patkoi, P.S.-
Kochadhaman, District- Kishanganj, At Present Residing at Mohalla- J.T.
Bulding, Jauhar Chowk, Ward No. 15, P.O.+P.S.+District- Kishanganj

... .. Appellant/s

Versus

1. The State Of Bihar Through the Principal Secretary, Human Resources
Development Department, Government of Bihar, Patna.
2. Director, Secondary Education, Human Resources Development Department,
Patna.
3. District Education Officer, Kishanganj.
4. The Head Master, High School Kisanganj.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Gopal Krishna
For the Respondent/s : Mr. Ramadhar Singh, GP 25

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

3 14-12-2017 Delay of 59 days in preferring the appeal is condoned.

I.A. No.7827 of 2016 is allowed. Matter is taken up on merits.

This Court fails to understand as to why an appeal has been preferred in the very first place against the order dated 24.06.2016 passed by the learned Single Judge when the issue of seniority and promotion had been given up by the counsel for the appellant before the learned Single Judge and the recovery part was ordered not to be made because excess payment was not required to be recovered from the retiral dues. The



petitioner should be happy with the position which has emerged from the order of the learned Single Judge. Nothing further remains for adjudication.

Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

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