

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.309 of 2016
IN
Civil Writ Jurisdiction Case No. 15612 of 2014**

- =====
1. The State of Bihar through the District Magistrate, Kishanganj, Bihar.
 2. The District Magistrate, Kishanganj, Bihar.
 3. The Sub-Divisional Officer, Kishanganj, District - Kishanganj.
 4. The Circle Officer, Bahadurganj, P.S. - Bahadurganj, District - Kishanganj.

.... Appellants

Versus

1. Saurav Kumar Basak son of Sri Jugnu Basak resident of village - Bam Bhola Chowk, Block - Bahadurganj, P.O. and P.S. Bahadurganj, District - Kishanganj a minor through his father and natural guardian Jugnu Basak.
2. The Principal, Jawahar Navodaya Vidyalaya, Kishanganj, Bihar.

.... Respondents

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Appearance :

For the Appellant/s : Mr. Ujjwal Kumar Sinha, Advocate.
For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 24-04-2017

This appeal under Clause-10 of the letters patent has been filed falling in question tenability of an order dated 22.07.2015 passed by the learned writ court in C.W.J.C. No. 15612 of 2014.

In the order passed by the learned writ court, a notification dated 01.07.2015 passed by the State Government vide Resolution No. 9532 has been considered and action taken on the basis of the aforesaid notification has been upheld and the writ petitions have been allowed as the reason for cancellation of the caste certificate of the petitioner was found to be non est being contravention to the



notification dated 01.07.2015. The validity of this notification has been upheld by this Bench on 03.04.2017 while considering various writ petitions in C.W.J.C. No. 10650 of 2015 and other cases and while doing so, certain L.P.As filed against the same order on 22.07.2015 by writ court in C.W.J.C. No. 133 of 2015 has been dismissed and the order passed on 22.07.2015 in writ petition i.e. C.W.J.C. No. 133 of 2015 has been upheld.

In view of the detailed order passed by us in the matter on 03.04.2017, as indicated above in C.W.J.C. No. 10650 of 2015 and other cases, we see no reason to take a different view.

The appeal is, accordingly, dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Amit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28-04-2017
Transmission Date	NA

