

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1938 of 2015

IN

Civil Writ Jurisdiction Case No. 10480 of 2013

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Bhumneshwar Prasad Yadav son of Parmeshwar Yadav, r/o Village- Kushaharmal,
P.O.- Balua Bazar, District- Supaul (Bihar)

.... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resource Development Department, Government of Bihar, Patna
2. The Principal Secretary, Human Resource Development Department, Government of Bihar, Patna
3. The Director, Primary Education, Government of Bihar, Patna
4. The District Education Superintendent-cum-District Programme Coordinator, Supaul
5. The Block Education Extension Officer, Basantpur Block, Supaul
6. The Mukhiya, Gram Panchayat Kushahar, Block and Anchal Basantpur, Supaul
7. The Panchayat Secretary, Gram Panchayat Kushahar, Block and Anchal Basantpur, Supaul
8. The Principal, Middle School, Kushaharmal, Gram Panchayat Kushahar, Block and Anchal Basantpur, Supaul

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Nagadeo Choubey, Advocate

For the Respondent/s : Mr. M. Prasad- GP-12

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 15-03-2017

I.A. No.8645 of 2015

The application is for condonation of delay of 49 days
in filing the Letters Patent Appeal.

2. For the reasons mentioned in the Interlocutory
Application, we are satisfied that the appellant has shown sufficient
cause to seek condonation of delay in filing the present Letters



Patent Appeal.

3. Consequently, Interlocutory Application No. 8645 of 2015 is allowed and delay in filing the Letters Patent Appeal is condoned.

L.P.A. No.1938 of 2015

Concurrent findings recorded by the Appellate Tribunal and the learned Writ Court have been challenged in this appeal under Section-10 of the Letters Patent.

The authorities have concurrently held that the petitioner did not have the requisite minimum qualification required for appointment to the post in question and, therefore, did not deem it proper to appoint him.

In doing so, no error has been committed by the learned Writ Court requiring re-consideration. The appeal is dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

K.C.jha/-

AFR/NAFR	NAFR
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