

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1101 of 2016

In
Civil Writ Jurisdiction Case No.7386 of 2011

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1. The State of Bihar.
 2. The Principal Secretary, Human Resources Development Department, Vikash Bhawan, P.O. Patna Sectt. 800015.
 3. The Director Secondary Education Human Resources Development Department New Secretariat, Patna.
 4. The Account General Birchand Patel Marg, Patna.
 5. The Principal + 2 Govt. Girls School, Patna City, Patna.

... .. Appellant/s

Versus

Shashi Prabha Rai W/o Sri Shahaja Nand Sharma R/o Mohalla Wachaspati
Nagar, P.S. Bahadurpur, Distt. Patna.

... .. Respondent/s

Appearance :

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

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

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

15 27-11-2017 Delay of two years and 215 days is condoned for the reasons indicated in the condonation application. I.A. No. 3976 of 2016 is allowed. Appeal was heard on merits.

The Court is not willing to waste judicial time on academic discussions and submissions so far as the present appeal is concerned since the order of the learned single Judge has been implemented for whatever reason or compulsions. This decision may not become a binding precedent for a similar issue which may arise for consideration. The question of law is left open. It



will be available to the State to argue the case as and when occasion arises *de novo*. No reliance as such may be placed on the decision of the learned single Judge dated 29.04.2013 and 10.07.2013.

The order has been passed in the peculiarity of the facts and the position as it stands now.

Appeal stands disposed off with the observations as above.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

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