

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13102 of 2017

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Kamlesh Tiwari, S/o Bateshwar Tiwari, R/o Mohalla - Rajalganj, P.O. + P.S.
Sasaram, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar.
 2. The Principal Secretary, Department of Urban Development, Government of Bihar, Patna.
 3. The Special Secretary, Urban Development Department, Government of Bihar, Patna.
 4. The Additional Secretary, Urban Development Department, Government of Bihar, Patna.
 5. The Under Secretary, Urban Development Department, Government of Bihar, Patna.
 6. The Director Administration, Urban Development Department, Government of Bihar, Patna.
- ... Respondents 1st Set.
7. The Sasaram Nagar Parishad through its Executive Officer, Sasaram, Rohtas.
 8. The Executive Officer, Sasaram Nagar Parishad, Sasaram, Rohtas.
- Respondent 2nd Set.
9. The Principal Accountant General Audit, Birchand Patel Path, Patna.
- Respondent 3rd Set.
10. Prahalad Lal, son of name not known to the petitioner, presently posted as Executive Officer, Nagar Parishad Masaruhi, Patna and transferred to Nagar Parsihad, Sasaram, Rohtas.

... .. Respondents 4th Set.

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Appearance :

For the Petitioner/s	:	Mr. Kanhaiya Pandey, Advocate
For the Respondent/s	:	Mr. Y. P. Sinha -AAG 7
For the AG	:	Mr. Bindhyachal Rai, Advocate
For the Nagar Parishad	:	Mr. Vijay Shankar Upadhyay, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 27-11-2017 In this public interest writ petition, the issue raised is with regard to posting of respondent No.10 in a particular office and irregularities committed by him.

It is a service matter with regard to working of respondent No.10 in the department in question and we are not inclined to



interfere into the matter in a public interest writ petition with regard to service dispute at the instance of the petitioner in view of the law laid down by the Supreme Court in the case of **Bholanath Mukherjee & Others – Versus- Ramakrishna Mission Vivekananda Centenary College & Others [(2011) 5 SCC 464]** and followed recently by the Delhi High Court in the case of **Forum of SC and ST Legislators and Parliamentarians –Versus- Oil and Natural Gas Corporation Ltd & Another (WP (C) No 1698 of 2017)** decided on 27.02.2017.

The petition is dismissed with liberty to the aggrieved person to ventilate his grievance in accordance with law.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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