

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1183 of 2011

In
Civil Writ Jurisdiction Case No. 11167 of 1996

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| 1. The State of Bihar. | |
| 2. The Secretary, Deptt. of Science and Technology, New Secretariat, Bailey Road, Patna. | |
| 3. The Additional Secretary, Deptt. of Science & Technology, New Secretariat, Bailey Road, Patna. | |
| 4. The Principal, Magadh Engineering College, Gaya. | |
| 5. The District Magistrate, Gaya. | Appellant/s |
| Versus | |
| 1. Arbind Kumar, S/O Late Ram Kishun Sharma R/O Village -Keshpa, P.O. Keshpa, P.S.- Tekari, Distt.-Gaya. | |
| 2. Keshav Kumar, S/O Parshuram Sharma, R/O Village- Keshpa, P.O. Keshpa, P.S.- Tekari, Distt.-Gaya. | Respondent/s |
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Appearance :

For the Appellant/s : Mr. Ranjeet Kumar Singh, Advocate
For the Respondent/s : Mr. Sunil Kumar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 03-10-2017 Challenge in this appeal by the State Government

is made to an order dated 30.11.2010 passed in C.W.J.C. No. 11167 of 1996. By a common order passed on the said date, i.e. 30.11.2010, ten writ petitions, bearing, C.W.J.C. No. 10788 of 2003, C.W.J.C. No. 8843 of 1996, C.W.J.C. No. 8844 of 1996, C.W.J.C. No. 11161 of 1996, C.W.J.C. No. 11167 of 1996 (present case), C.W.J.C. No. 12606 of 1996 of 1996, C.W.J.C. No. 4063 of 1997, C.W.J.C. No. 4242 of 1997, C.W.J.C. No. 8847 of 1997 and C.W.J.C. No. 1879 of 2004 were decided and against the same order passed in C.W.J.C. No. 10788 of 2003, L.P.A. No.



1057 of 2011 was filed. Similarly, against the order passed in C.W.J.C. No. 8844 of 1996, L.P.A. No.1145 of 2011 and other appeals, bearing, L.P.A. No. 1146 of 2011, 1147 of 2011, L.P.A. No. 1149 of 2011, L.P.A. No. 1174 of 2011, L.P.A. No. 1988 of 2011 and L.P.A. No. 1148 of 2011 were filed and by a common order dated 09.09.2014 passed by a coordinate bench of this Court all the appeals filed by the State Government were allowed and the order passed on 30.11.2010, common in all the cases, were quashed.

Now in view of the order passed by a coordinate Bench of this Court in all other connected L.P.A's. i.e. L.P.A. No. 1057 of 2011 and other appeals, this appeal is also liable to be allowed and the impugned order should be quashed.

Accordingly, we allow this appeal and quash the order dated 30.11.2010 passed in C.W.J.C. No. 11167 of 1996 for the grounds and reasons already decided by a coordinate bench of this Court in L.P.A. No. 1057 of 2011 and various other appeals on 09.09.2014.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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