

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1282 of 2015

In

Civil Writ Jurisdiction Case No. 3048 of 2015

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Mangal Sahani Son of Late Lakshmi Sahani, Resident of village- Godol
Sarif, P.S.- Nanpur, District- Sitamarhi

.... Appellant

Versus

1. The State of Bihar
2. The District Magistrate, Sitamarhi
3. The Sub-Divisional Officer, Sitamarhi (East)
4. The Circle Officer, Bokhra Block, Sitamarhi
5. The Officer-in-Charge of Nanpur Police Station

.... Respondents

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Appearance :

For the Appellant/s : Mr. Vinay Ranjan, Advocate
For the Respondent/s : Mr. Sc29- R.R.K. Pandey

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

8 27-11-2017 Keeping in view the fact that while issuing the direction on 18.11.2008 in C.W.J.C. No.5794 of 1996, it was directed that the D.M., Sitamarhi would verify whether the power of delegation of appointment was issued by the then District Magistrate and whether the petitioner was regularly working as a Choukidar in the village where he was posted till issuance of letter of termination as the further continuation of the petitioner and demand of salary was subject to verification by the District Magistrate and once the District Magistrate on verification, by the impugned order dated



27.4.2015, has found that the petitioner's appointment was itself illegal, no relief can be granted to the petitioner and the learned Writ Court in dismissing the writ petition on the above ground, in our considered view, has not committed any error warranting reconsideration.

The appeal is, therefore, dismissed.

(Rajendra Menon, CJ)

K.C.jha/-

(Anil Kumar Upadhyay, J)

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