

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1034 of 2016
IN
Civil Writ Jurisdiction Case No. 6263 of 2014**

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1. Mahendra Pandit Son of late Saryug Pandit Resident of Village and Post Office-Bajpatti, District Sitamarhi.
2. Mahesh Jha Son of late Shiodutt Jha Resident of Village and Post Office Narha, District Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar
2. The Secretary, Rural Development Department, Panchayat Raj, Bihar, Patna
3. The Director, Panchayati Raj, Government Of Bihar, Patna
4. The Divisional Deputy Director, Panchayati Raj , Government Of Bihar, Patna
5. The District Magistrate, Sitamarhi
6. The Deputy Development Commissioner-Cum-Chief Executive Officer, Sitamarhi
7. The Deputy Development Commissioner-Cum-Chief Executive Officer, Sheohar
8. The Block Development Officer-Cum-Secretary Panchayat Samitee, Pupri, District - Sitamarhi
9. The Zila Parishad, Sitamarhi
10. The Zila Parishad, Sheohar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bimlesh Kumar Pandey
For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)
Date: 15-11-2017

Heard counsel for the appellants.

Perused the order dated 20.02.2015 passed in CWJC
No.6263 of 2014. The learned Single Judge is correct. The status of an
employee does not change merely because he has been made to work
in certain capacity. The original authority, who made the



appointments, does not lose control over such employees.

This is the reason why the writ application was dismissed. We do not find any infirmity with the impugned order.

The appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Arvind/-

AFR/NAFR	
CAV DATE	
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