

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1951 of 2015
IN
Civil Writ Jurisdiction Case No. 15678 of 2012**

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1. Manoj Kumar Mandal, son of Rambriksha Mandal, resident of Village- Chowki Niyadpur, P.O. Champanagar, P.S.- Nathnagar, District- Bhagalpur

.... Appellant/s

Versus

1. The State of Bihar, through the Secretary of Personnel and Administrative Reforms Department, Old Secretariat, Bihar, Patna.
2. Commissioner, Bhagalpur Division, Bhagalpur.
3. Deputy Collector (Establishment), Bhagalpur
4. District Magistrate, Bhagalpur.
5. Nazarat Deputy Collector, Bhagalpur.
6. Sanjay Kumar Singh, son of Sheoji Singh, resident of Village and P.O. Sarkanda, P.S. Ishapur Barhat, District- Bhagalpur.
7. Raj Kumar Oraon, son of Srii Hargovind Oraon, resident of Village- Masuria, P.O. Itahri, P.S.- Ishapur Barahat, District- Bhagalpur.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Abhinay Raj

For the Respondent/s : Ms Alka Verma, AC to SC 17

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 28-01-2017

Heard counsel for the appellant and counsel for the State.

Both the limitation petition and the appeal are required to be dismissed because the reasons provided for delay in filing the appeal are not cogent and valid. It is the duty of every litigant to be vigilant about his rights. If he has failed to do so, he will have to suffer.



The Court even otherwise looked into the merits of the matter. The panel related to the year 2004. The submission of the appellant’s counsel that there was an order of the learned Single Judge upheld by the Division Bench that the panel will continue till eternity or till panel exhausts, seems to be prima facie in the teeth of various pronouncements of the Hon’ble Supreme Court that the life of the panel will generally be valid for a year and it will exhaust itself at the moment the appointments are made.

Even if the order and direction of the learned Single Judge or the Division Bench is considered in the perspective it has been issued, the name of the appellant does not figure in the list of panel. It is a battle to get included in the panel. Such people cannot take benefit of such direction issued either by the Single Judge or the Division Bench. Therefore, the appeal also lacks merits.

Both the limitation petition and the appeal are dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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AFR/NAFR	NAFR
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