

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.622 of 2015

In

Civil Writ Jurisdiction Case No. 2701 of 1997

- =====
1. The State Of Bihar, through the Commissioner-cum-Secretary, Water Resources Development Department, Sinchai Bhawan, Bihar, Patna.
 2. The Joint Secretary to the Government, Water Resources Development Department, Government of Bihar, Sinchai Bhawan, Patna.
 3. The Chief Engineer (Mechanical), Water Resources Development Department, Government of Bihar, Sinchai Bhawan, Patna.
 4. The Superintending Engineer, Water Resources Development Department, Bhabhua Project Mithapur, Patna.
 5. The Executive Engineer, Water Resources Development Department, Bhabhua Project, Noawan , District- Bhabhua.
 6. The Junion Engineer, Water Resources Development Department, Bahuara Project, Noawan, District- Bhabhua.

.... Appellants

Versus

Nagendra Prasad Singh, son of Sri Kedar Singh, resident of Village-Jaishree, Police Station-Karakat, District-Bhabhua, at present working on Muster Roll, Irrigation Pump Project, Sundar Bahuara, District-Bhabua.

.... Respondent

=====

Appearance :

For the Appellants : Mr. Durgesh Nanda, AAG-14
Mr. Umesh Kumar, AC to AAG-14

For the Respondent : None

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

8 19-07-2017

Appeal is against the order dated 05.12.2011 passed in C.W.J.C. No. 2701 of 1997. A batch of writ applications along with C.W.J.C. No. 2701 of 1997 was disposed of on the basis of a coordinate Bench order dated 19.05.2011 passed in yet another batch of writ applications. Since the very foundation based on which the learned single Judge allowed the writ application has been knocked out by a Division Bench in an earlier State appeal



which was L.P.A. No. 252 of 2012 decided on 24.03.2014 and some other Division Bench has also relied and affirmed the rationale and reasoning provided in L.P.A. No. 252 of 2012 dated 24.03.2014 and State appeals have been allowed, the order of the learned single Judge which is under challenge in the present Letters Patent Appeal dated 05.12.2011 is also required to be set aside for the same rationale and reasoning which have been provided by other Division Benches one of which have been recorded in the earlier part of the order.

It is also put on record that despite valid service of notice upon the private respondent, he has chosen not to appear.

Copies of the orders passed in different Letters Patent Appeals tendered to the Court are placed on record for future reference if any.

Appeal stands disposed of in terms of the above.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Pawan/-

U			
---	--	--	--

