

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1676 of 2015

In

Civil Writ Jurisdiction Case No. 8000 of 2008

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Binod Kumar S/o Late Lal Krishna Prasad R/o vill. - Bose Park, Mahatma
Gandhi Path, P.S. Adampur, P.O. Bhagalpur, District - Bhagalpur

.... Appellant/s

Versus

1. The State of Bihar
2. The Principal Secretary, Human Resources Development (Higher
Education) Department, Govt. of Bihar, Patna
3. The Secretary, Human Resources Development (Higher Education)
Department, Govt. of Bihar, Patna
4. The Director, Human Resources Development (Higher Education)
Department, Govt. of Bihar, Patna
5. That Principal, Government Women's College Gulzarbagh, Patna

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dr.Raj Kumar Singh, Advocate

For the Respondent/s : Mr. Anjani Kumar AAG4

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 23-08-2017 Seeking exception to an order dated 4.8.2015 passed
by the Writ Court in CWJC No. 8000 of 2008, the appeal has been
filed under Clause 10 of the Letters Patent.

Having perused the records and on consideration of
submission of Mr. Anjani Kumar, AAG-4, we see that the writ
petitioner was working as daily wage employee and he was absent
from his duty for more than 11 years and thereafter when he
reported for duty he was not permitted to join as he was daily



wage employee and it was seen that he abandoned the service.

Inter alia, contending that he was suffering from Tuberculosis, he sought intervention of this Court by filing the writ petition and the Writ Court finding that the writ petitioner has voluntarily abandoned the service and has been absent from his duty for 11 years, refused to interfere in the matter as the writ petitioner was daily wage employee and in doing so the Writ Court has committed no any error warranting reconsideration.

The appeal is dismissed.

(Rajendra Menon, CJ)

S.Pandey/-

(Anil Kumar Upadhyay, J)

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