

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1479 of 2015

IN

Civil Writ Jurisdiction Case No. 12709 of 2011

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Manoj Sah S/o late Rajendra Sah resident of Village & P.O. Dhariah Ashadhar,
P.S. Angar Ghai, District Samastipur.

.... Petitioner - Appellant

Versus

1. The State of Bihar
2. The Executive Engineer, Rural Works Department, (Gramin Karya Vibhag) Works Division, No. 2, Supaul.
3. The Superintendent Engineer, Rural works Department, Rural works Division No. 2, Supaul.
4. The Chief Engineer, Rural Works Department, Saharsa.
5. The Secretary, Rural Development Department, Government of Bihar, Patna.
6. The Accountant General of Bihar, Patna.

.... Respondents - Respondents

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Appearance:

For the Appellant/s : Mr. Kameshwar Prasad Gupta, Advocate.
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: 30-08-2017

Heard learned counsel for the appellant and learned
counsel for the State.

Perused the impugned order dated 08.04.2015 passed by
the learned Single Judge.

The learned Single Judge was absolutely correct in
dismissing the Writ Application and refusing to pass any order in
favour of the present appellant since there were controversial facts and
inputs including the report by the Vigilance Investigation Bureau that



this appellant was not the son of the late employee but the nephew and in fact the employee had no son or children at all.

The decision of the learned Single Judge in the said facts in exercise of power under Article 226 of the Constitution of India cannot be said to be bad in law.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
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