

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1668 of 2013

IN

Civil Writ Jurisdiction Case No. 14834 of 2012

- =====
1. The State Of Bihar Through The Chief Secretary, Bihar, Patna.
 2. The Commissioner Cum Secretary, Personnel And Administrative Department, Bihar, Patna.
 3. The Commissioner Cum Secretary, Finance Department, Bihar, Patna
 4. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
 5. The Collector Cum District Officer, Vaishali, Hajipur.
 6. The Deputy Collector, Nazarat, District- Vaishali, Hajipur.

.... Appellant/s

Versus

1. Mahesh Prasad Singh S/O Late Ram Lagan Singh R/O Mohalla Underkila, P.S- Hajipur Sadar, District- Vaishali.
2. Md. Rashid Alam S/O Md. Alauddin Village- Rajasab, P.S- Vidupur, District- Vaishali.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ram Kishore Singh

For the Respondent/s : Mr.

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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: 09-03-2017

Heard learned Additional Advocate General No. 4.

The delay of 238 days is condoned.

I. A. No. 9191 of 2013 is allowed.

The appeal is taken up on merits.

Heard counsel for the State as well as counsel for the private-respondents.

The only clarification, which is required to be given, now, is that the District Magistrate must do the needful in terms of the



direction of the Learned Single Judge, in accordance with the 2010 Rules, which govern such creation of panel and appointments. This clarification has been issued in view of the stand taken by the State that government circular no. 16441, dated 03.12.1980 is no longer in existence.

Rest of the order of the Learned Single Judge is not required to be interfered with.

Appeal stands disposed off with above clarification.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	10.03.2017
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