

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1306 of 2016

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Haider Ali son of Late Ghulam Hussain Mian, resident of Village Mashrak, and
District Chapra (Saran).

.... Petitioner-Appellant

Versus

1. Dr. Sunil Kumar Singh, Chairman, son of not known Bihar State Co-operative Marketing Union Ltd., Biscomoun, Patna.
2. Shatrughan Prasad Choudhary, Managing Director, son of not known, Bihar State Co-operative Marketing Union Ltd., Biscomoun Bhawan, Patna.
3. Sanjiv Lochan Moshra, Chief Accounts Officer, son of Late Surendra Nath Mishra, Bihar State Co-operative Marketing Union Ltd., Biscomoun Bhawan, Patna.
4. State of Bihar through its Chief Secretary, namely A.K., Sinha, Bihar, Patna.

....Opposite Parties- Respondent/s

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Appearance :

For the Appellant/s : Mr. Mohammed Abu Haidar, Adv
For the BISCOMAUN : Mr. Ishwari Singh, Adv

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 06-04-2017

The Letters Patent Appeal under Clause-10 of the
Letters Patent, is not maintainable against the order passed by the writ
court under Article 227 of the Constitution of India.



The jurisdiction exercised by the writ Court was in Miscellaneous Jurisdiction Case under Article 215 of the Constitution of India read with Section 12 of the Contempt of Courts Act. Such order passed by the writ Court, under clause-10 of the Letters Patent, is not maintainable.

It is, accordingly, dismissed.

However, liberty shall be available to the appellant to take recourse before appropriate forum having appropriate jurisdiction to deal with the matter.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Ranjan/-

AFR/NAFR	NAFR
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