

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.2090 of 2016
IN
Civil Writ Jurisdiction Case No. 10912 of 2014
With
Interlocutory Application No. 8703 of 2016.

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1. The State Health Society, Bihar Parivar Kalyan Bhawan, Sheikhura, Patna through its Executive Director.
 2. The Secretary Health cum Executive Director, State Health Society, Bihar, Parivar Kalyan Bhawan, Patna
 3. The State Programme Officer, State Health Society Bihar, Parivar Kalyan Bhawan, Patna.

.... Respondents / Appellants

Versus

1. The State of Bihar through its Principal Secretary, department of health, Old Secretariat Patna.
2. The Principal Secretary General Administration Department, Government of Bihar old Secretariat Patna
3. The Principal Secretary Department of Health, Government of Bihar, Old Secretariat Patna. ... Respondents / Respondents (Performa Respondents)
4. Dr. Sanjeev Kumar C/o late satyendra Prasad singh, resident of village- Murvadih, PO Murara, Biharshariff, presently Posted Ayush Homeo Doctor at Sahara.
5. Dr. Chandrashekhar Singh, Birendra Singh, resident of Village- Bhabua, Chhwani Muhalla - 9 Ghoori Babu Lane, Kaimur, Presently posted Ayush Ayurvedic Doctor at Madhepura.
6. Dr. Mohd Akhram, C/o Mohd. Illyas resident of House no. 116, Road 3/D at New Karim Ganj Gaya, presently post Ayush Ayurvedic Doctor, Madhepura.
7. Prem Prabhakar Son of Indradeo Singh Resident of Village - Boknarikhurd, P.O. - Makhdumpur, District - Jahanabad.
8. Kumar Rajeev Suman, son of Late - Vyas Nandan Rai Resident of Village - Bhirha, P.O. - Rossera, District - Samastipur.

.... Petitioners / Respondents

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Appearance:

(In LPA No.2090 of 2016)



For the Appellants-BSHS : Mr. K.K. Sinha, Advocate.

For the respondents-State : Mr. Md. Nadim Seraj, GP 5.

For the respondents no. 4-6 : Mr. Amish Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

Date: 14-12-2017

Re. I.A. No. 8703 of 2016.

There is a delay of 55 days in filing the Letters Patent Appeal for which this Interlocutory Application has been preferred.

Considering the averments made in the Interlocutory Application, the delay is condoned.

The Interlocutory Application is allowed.

Re. L.P.A. No. 2090 of 2016.

Heard learned counsel for the appellants - State Health Society, learned counsel representing the private respondents as also learned counsel for the State.

The present Letters Patent Appeal arises from the order dated 01.08.2016 passed in CWJC No. 10912 of 2014 by a learned single Judge of this Court.

Similar questions of facts and law, as have been raised in the present appeal, have been raised in L.P.A. No. 1642 of 2016 by challenging the impugned order dated 01.08.2016 passed in CWJC



No. 10912 of 2014 by a learned single Judge of this Court which has been dismissed by us today itself.

The rationale and reasoning given in the order dated 14.12.2017 passed in the said L.P.A. No. 1642 of 2016 shall also govern the present case.

In above view of the matter, the present Letters Patent Appeal stands dismissed in terms of the order dated 14.12.2017 passed in L.P.A. No. 1642 of 2016.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
CAV DATE	N/A
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Transmission Date	N/A

