

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.624 of 2016

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1. Md. Labrez Shamim, Son of Md. Shamimuddin, Resident of village - Mushkipur, P.S. Gogari, District - Khagaria
 2. Navin Kumar, Son of Wakil Paswan, Resident of village - Shaharbanni, P.S. Alauli, District - Khagaria
 3. Bharat Kumar Bharti, Son of Late Adhik Lal Sah, Resident of village - Maraiya (Pipra Lalif), P.S. Parwatta, District - Khagaria
 4. Mritunjay Kumar, Son of Sri Sudhir Paswan, Resident of village - Parmanandpur, P.S. Mufassil, District - Khagaria

.... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department, Govt. of Bihar, Patna
2. The Mission Director, Bihar Administrative Reforms Mission Society, General Administration Department, Govt. of Bihar, Patna
3. The Khagaria District Bihar Administrative Reforms Mission Society Selection Committee, Khagaria through its Chairman i.e. District Magistrate, Khagaria
4. The District Magistrate, Khagaria
5. The District Agriculture Officer, Khagaria
6. The Electrical Executive Engineer, Khagaria Supply Division, Khagaria (North Bihar Power Distribution Company Limited)

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Surendra Kishore Thakur, Advocate
Ms. Y. Madhuri, Advocate

For the Respondent/s : Mr. Manish Kumar, AC to AAG-6

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 21-03-2017

From the counter affidavit filed by the respondents in this appeal, it is clear that the appointments in question were contract appointments and, on complaint received, it was found that the entire appointment has been conducted in an illegal manner and, based on the enquiry report submitted, all the appointments made



have been cancelled. That being the position, no case is made out for any indulgence in the matter.

In case any person continues with the contract appointment in spite of illegal appointment made, the appellant may challenge the same, but on such ground petitioner cannot claim parity and seek a *mandamus* by perpetuating an illegality.

Accordingly, finding no ground for indulgence, the appeal stands dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

K.C.jha/-

AFR/NAFR	NAFR
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