

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1547 of 2014
IN
Civil Writ Jurisdiction Case No. 8169 of 2014**

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1. Hari Bhushan Kumar, Son of Late Satya Narayan Kumar, Resident of Village- Bangaon Got, P.O.- Bajpatti, District- Sitamarhi
 2. Rajesh Prasad Singh, Son of Sri Dinkar Prasad Singh, Resident of Village and P.O.- Ramnagar, District- Sitamarhi
 3. Pranay Kumar, Son of Late Ram Shresth Singh, Resident of Village and P.O.- Bathnaha, P.S.- Bathnaha, District- Sitamarhi
 4. Amrendra Anand, Son of Sri Sachehidanand Singh, Resident of Village- Koiria Pipara, P.S.- Parihar, District- Sitamarhi
 5. Vijay Kumar Singh, Son of Lal Bahadur Singh, Resident of Village- Chiraiya, P.O.- Barahi Jagdish, District- Sitamarhi
 6. Ramesh Kumar, Son of Late Deep Narayan Choudhary, Resident of Village and P.O.- Budhnagara, District- Sitamarhi
 7. Nishant Kumar Singh, Son of Sri Vikramaditya Singh, Resident of Phase- 1, Ashok Bihar Colony, Pahadiya, Varanasi (U.P.)
 8. Barun Kumar, Son of Sri Amrendra Kumar Singh, Resident of Village- Ratanpur, P.S.- Majorganj, District- Sitamarhi

.... Appellant/s

Versus

1. The State of Bihar through Agriculture Production Commissioner, Bihar, Patna
2. The Agriculture Production Commissioner, Bihar, New Secretariat, Patna
3. The Director, Agriculture, Department of Agriculture, Govt. of Bihar, Patna
4. The District Agriculture Officer, Sitamarhi, District- Sitamarhi
5. Block Agriculture Officer, Runnisaidpur, District- Sitamarhi
6. The District Magistrate, Sitamarhi, District- Sitamarhi

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Durga Nand Jha
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: 09-05-2017

Heard learned counsel for the appellants and counsel
appearing on behalf of the State.

The impugned order, dated 24.09.2014, is set aside. The



matter is remanded back to the Learned Single Judge for deciding the matter afresh on the merits, preferably at the stage of admission itself. This order is necessitated in view of the fact that admission of the writ application with no restraint order to the competent authority to proceed with appointment would virtually makes the writ application infructuous for all practical purposes.

Appeal is allowed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	10.05.2017
Transmission Date	

