

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.2130 of 2015
IN
Civil Writ Jurisdiction Case No. 9447 of 2014**

- =====
1. Randhir Kumar Verma Son of Late Satya Narayan Prasad Verma resident of Main Road (in front of Bishwanath Market), Jehanabad
 2. Suresh Kumar Son of Sri Tarkeshwar Pandit resident of Mohalla - Shyamnagar, Jehanabad, P.S. + District - Jehanabad
 3. Ajay Kumar Son of Sri Arjun Prasad resident of Mohalla - Shastrinagar, Jehanabad, P.S. + District - Jehanabad
 4. Vijay Kumar Son of Sri Arjun Prasad resident of Mohalla - Shastrinagar, Jehanabad, P.S. + District - Jehanabad
 5. Md. Zafar Iqbal Son of Bashimul Haque resident of Mohalla - Makhdumabad, Jehanabad, P.S. + District - Jehanabad
 6. Md. Abid Hussain Ansari @ Md. Abid Hussain Son of Late Arif Hussain resident of Mohalla - Raja Bazar, Jehanabad, Police Station Jehanabad in the District of Jehanabad
 7. Satya Vijay Son of Sri Hari Singh resident of Mohalla - Raja Bazar, Jehanabad, P.S. + District - Jehanabad

..... Respondents 6 to 8 to the writ petition Appellants
Versus

1. The State of Bihar through the Principal Secretary, Urban Development Department, Government of Bihar, Patna
2. The Principal Secretary, Urban Development Department, Government of Bihar, Patna
3. The District Magistrate - Cum - Collector, Jehanabad
4. The Nagar Parishad, Jehanabad through its Executive Officer
5. The Chairman, Nagar Parishad, Jehanabad
6. The Executive officer, Nagar Parishad, Jehanabad
7. Mr. Kuber Chandra Singh Son of Late Rajeshwar Singh resident of village - Sondhila, P.S. Buxar (M) in the district of Buxar, the then Executive officer, Nagar Parishad, Jehanabad, Presently Posted as O.S.D., Panchayati Raj Department, Government of Bihar, Patna ... Respondents – Respondents 1st Party.
8. Sanjay Kumar Sharma Son of Sri Surendra Prasad Sharma resident of Professor Colony, Jehanabad, Police Station Jehanabad in the district of Jehanabad
.... Writ petitioner - Respondent 2nd Party.

=====

Appearance:

For the Appellant/s : Mr. Uma Kant Tiwary, Advocate.
For the Respondent/s : Mr.

=====

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

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 13-09-2017



Heard learned counsel for the appellants.

2. The impugned order dated 06.04.2015, which is under challenge, is not required to be interfered with. The learned Single Judge, after much deliberation and re-examining the matter in detail, did hold that the manner in which the erstwhile Executive Officer went about taking a decision of hiring and making payments was totally illegal. This fact is not required to be interfered with.

3. However, so far as the entitlement of these appellants is concerned, that is the subject matter of adjudication in CWJC No. 6716/2011 which is still pending.

4. Dismissal of this appeal may not create any prejudice in adjudication of the said Writ Application.

5. Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	14.09.2017
Transmission Date	N/A

