

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.575 of 2017

In

Civil Writ Jurisdiction Case No.1598 of 2017

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1. The Chairman, Zila Parishad, East Champaran East Champaran, Motihari.
 2. The District Development Commissioner-cum- Chief Executive Officer, Zila Parishad, East Champaran, Motihari.
 3. The District Engineer, Zila Parishad, East Champaran, Motihari.
 4. The Assistant Engineer, Zila Parishad, East Champaran, Motihari.
 5. The Junior Engineer, Zila Parishad, East Champaran, Motihari.

... .. Respondents-Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
2. The District Magistrate, East Champaran, Motihari.

.... Respondents/ Respondents.

3. Muzaffar Mahmood, son of late Mahmudul Amin, resident of Mohalla-Amlapatti, near Urdu Library, Ward No.10, Police Station- Motihari Town, Motihari, District-East Champaran, Motihari.

... .. Petitioner-Respondent/s

Appearance :

For the Appellant/s : Mr. Sanjay Kumar, Advocate

For the Respondent/s : Mr.

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 29-11-2017

From the reading of the order dated 01.03.2017 we find that on queries made by the Court, the appellants herein, who were represented by a counsel, answered the queries in the affirmative and it was because of this, the Court passed the impugned order. Now, a somersault is being taken and it is stated that the appellants have not consented to the proposal of the Court.



If that be so, the appellants should file a review application pointing out all these factors to the learned Writ Court and it would be for the learned Writ Court to reconsider the issue.

In the facts and circumstances, as indicated hereinabove, we are not inclined to interfere into the matter at the instance of the appellants once they in affirmative responded to the queries made by the Court.

Accordingly, granting liberty to the appellants to seek review of the order by approaching the learned Writ Court who passed the order, we dismiss the appeal.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
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