

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1709 of 2012

In
Civil Writ Jurisdiction Case No.17647 of 2012

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Jageshwar Prasad, Son of Chandra Dev Prasad, At present posted at Executive Engineer, Minor Irrigation Division, Jhajha, District- Jamui

... .. Appellant/s

Versus

1. The State of Bihar through its Principal Secretary to Govt., Minor Water Resource Department, Vikas Bhawan, New Secretariat Building, Bailey Road, Patna
2. The Deputy Secretary to Govt., Vikas Bhawan, New Secretariat Building, Bailey Road, Patna
3. Kamal Kumar Singh, S/o Late Gopaljee Singh, Resident of Village- Lal Bihari Ka Tola, P.O. + P.S.- Jagdishpur, District- Bhojpur

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Tuhin Shankar, Advocate
For the Respondent/s : Mr. Gautam Bose, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 28-11-2017

This appeal was filed in the year 2012 and exception has been sought to an order passed in M.J.C. No. 3694 of 2012 way back in the year 2012 wherein in the matter of transfer of the petitioner and the respondent ordered in the year 2012, certain directions were issued, particularly in view of the fact that the respondent Kamal Kumar Singh was to retire in March, 2013.

Now after 5 years, the issue of transfer becomes academic in nature. The entire administrative requirement has



changed and after 2012 further developments have taken place in the matter of posting and transfer of the applicant.

Taking note of all these circumstances, we find that now with the passage of time, this appeal in the matter of a transfer which was effected more than five years back in the year 2012 has been rendered infructuous.

Accordingly, we see no reason to make any indulgence into the matter. The Letters Patent Appeal stands dismissed as having been rendered infructuous with the passage of time.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

AFR/NAFR	N.A.F.R.
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