

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Letters Patent Appeal No.2091 of 2015**

**IN**

**Civil Writ Jurisdiction Case No. 4197 of 2009**

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M/s Sasamusa Sugar Works Ltd. At & P.O. Sasamusa, District- Gopalganj, through its Cane Manager, Md. Kamran son of Late Mushtaque Ahmad, resident of Sasamusa Sugar Works Ltd. At + P.O. Sasamusa, P.S. Kuchaikot, District- Gopalganj.

.... .... Petitioners - Appellant

Versus

1. The State of Bihar through the Secretary, Sugar Cane Development Department, Govt. of Bihar, Patna.
2. The Cane Commissioner, Sugar Cane Development Department, Govt. of Bihar, Patna.
3. The District Magistrate cum Collector, Gopalganj.
4. The District Certificate Officer, Gopalganj.
5. The Cane officer, Gopalganj.

.... .... Respondents - Respondents

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**Appearance:**

|                      |   |                                                                                               |
|----------------------|---|-----------------------------------------------------------------------------------------------|
| For the Appellant/s  | : | Mr. Raghieb Ahsan, Sr. Advocate,<br>Mr. Saba Ashfaq and<br>Mr. Deepak Kumar Singh, Advocates. |
| For the Respondent/s | : | Mr. Anjani Kumar, AAG 4 and<br>Mr. Sanjay Prasad, AC to AAG 4.                                |

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI**

**and**

**HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

ORAL JUDGMENT

**(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)**

**Date: 12-09-2017**

Heard learned counsel for the appellant and learned counsel for the State.

Let the matter be reconsidered in view of the Division Bench decision dated 31.03.2017 passed in a set of Letters Patent Appeals, the leading case being LPA No. 190/2016, which have arisen out of a common order dated 01.10.2015 in which even the present



appellant was a party.

Appeal is allowed.

The impugned order dated 01.10.2015 is quashed and the matter is remitted back to the Writ Court for fresh consideration.

**(Ajay Kumar Tripathi, J)**

**(Rajeev Ranjan Prasad, J)**

Dilip, AR

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| AFR/NAFR          | NAFR       |
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