

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1231 of 2013

IN

Civil Writ Jurisdiction Case No. 20110 of 2012

- =====
1. Prem Sagar Shahi, Son of Late Ramchandra Prasad Shahi, Resident of Village - Goraiya, P.S. Gorigama Dih, P.S. Kurhani, District - Muzaffarpur
 2. Prem Nath Chaudhary, Son of Bhanu Ram, Resident of Village - Majuraha, P.O. Motihari Court, P.S Turkaulia, District - East Champaran at Motihari

.... Appellants

Versus

1. The State of Bihar
2. The Principal Secretary, Home (Jail) Department, Government of Bihar, Patna
3. The Joint Secretary-Cum-Director, Home (Jail) Department, Government of Bihar, Patna
4. The Director (Administration), Home (Jail) Department, Government of Bihar, Patna
5. The Inspector General (Prison), Bihar, Patna
6. The Jail Superintendent , Khudi Ram Bose, Central Jail, Muzaffarpur

.... Respondents

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Appearance :

For the Appellants : Mr. Vijay Kumar Singh, Advocate
For the Respondents : Mr. Birju Prasad, GP-13
Mr. Amresh, AC to GP-13
Mr. Shok Kumar, AC to GP-13

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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: 03-02-2017

The delay of 78 days in filing the appeal is condoned.

I.A. No. 7069 of 2013 is allowed for the reasons indicated in the said condonation application.

The matter is taken up on merits. The learned Single Judge has taken note of the fact that for identical relief of regularization C.W.J.C. No. 2605 of 1992 was filed, which was



dismissed by a Division Bench as far back as 20th April, 1993. The issue should rest at that. Merely because a long period of time has elapsed and the appellants have taken a chance by moving the Writ Court again, it does not make their case any better.

The dismissal of the writ application was valid because repeated applications for the same set of relief was not maintainable before the Writ Court.

The order of the learned Single Judge does not suffer from any vice. Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Rajesh/-

AFR/NAFR	NAFR
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