

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1267 of 2013
IN
Civil Writ Jurisdiction Case No. 19704 of 2012**

- =====
1. Gangesh Kumar Son Of Sri Ram Bahadur Sah Resident Of Mohalla- Shivpuri, Pokharia (West Of Jail), P.S.- Town, District- Begusarai
 2. Manisha Kumari Daughter Of Sri Shambhu Rai Resident Of Village- Ulao (Kewal Tol), P.S.- Muffasil, District- Begusarai
 3. Kumari Vineeta Wife Of Sri Surendra Prasad Yadav Resident Of Mohalla- Chitragupta Nagar, Pokharia, Ward No. 38, P.S.- Town, District- Begusarai
 4. Ajit Kumar Son Of Sahdeo Das Resident Of Village- Kamruddinpur (Musn Tol) Dumri, Ward No. 6, P.S.- Muffasil, District- Begusarai
 5. Anjani Kumari Daughter Of Ram Pratap Poddar Resident Of Mohalla- New Professors Colony, Binkar Nagar (Pipra), P.S.- District- Begusarai
 6. Kumari Suman Daughter Of Sri Janardan Yadav Resident Of Village- Cheria, P.S.- Ayodhyaganj Bazar, District- Katihar

.... Appellants

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna
2. Bihar Prasasnic Sudhar Mission Society, Patna through Its Chairman
3. The Chairman, Bihar Prasasnic Sudhar Mission Society, Patna-Cum-Secretary, Government of Bihar, Patna
4. The Member Secretary, Bihar Prasasnic Sudhar Mission Society, Patna-Cum-The Principal Secretary, General Administration Department, Bihar, Patna
5. The District Magistrate-Cum-Chairman Selection Committee, Bihar Prasasnic Sudhar Mission Society, Begusarai
6. The Deputy Collector, (Establishment), Begusarai

.... Respondents

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Appearance :

For the Appellants : Mr. Manoj Kumar Singh, Advocate
For the Respondent/s : Mr.

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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: 13-02-2017

Delay of five days is condoned. I.A. No. 7222 of 2013

is allowed.

Heard counsel for the appellants.

Even if the submission of the appellants' counsel is
accepted that the reason for dismissal of the previous writ, which



was C.W.J.C. No. 12843 of 2012 dated 14.09.2012 was on a misplaced ground of understanding of facts with regard to the life of the panel or that the petitioners were looking for yet another relief though arising from the similar background in C.W.J.C. No. 19704 of 2012 against which the appeal has been filed, the sum essence of the issue is that the advertisement related to the year 2011, the appointment on the post of Executive Assistant was on contract and not a permanent appointment under the respondent State authorities, but under Bihar Prasasnic Sudhar Mission Society, no purpose would be served by going into the merits of the appeal because appointments have already been made on contract and almost 5-6 years have elapsed since then.

Appeal is required to be dismissed on that score as well, besides the fact that the learned single Judge does not seem to have made a mistake in rejecting the prayer made in the fresh writ application may be differently worded.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Pawan/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	14.02.2017
Transmission Date	N/A

