

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1372 of 2017

arising out of

Civil Writ Jurisdiction Case No. 16260 of 2016

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1. The State Of Bihar through the Chief Secretary, Old Secretariat, Govt. of Bihar, Patna.
 2. The Principal Secretary, Department of H.R.D. Govt. of Bihar, Patna.
 3. The Principal Secretary, Department of Personnel & Administrative Reforms, Govt. of Bihar, Patna.
 4. The District Magistrate, Bhagalpur.
 5. The District Education Officer, Bhagalpur.
 6. The Bihar Rajya Madhyan Bhojan Yojna Samiti through Secretary-cum-Director, Mid Day Meal Scheme, Bihar, Patna.
 7. The Secretary, Bihar Madhyan Bhojan Yojna Samiti-cum-Director, Mid Day Meal Scheme, Bihar, Patna.

... .. Appellant/s

Versus

1. Md. Nesar, Son of Tashvar Miyan, Resident of Village- Amirtha, Police Station- Kudra, District- Kaimur, Bhabhua.
2. Dayanand Prasad, Son of Ramjanam Chaudhary, Resident of Village- Amirtha, Police Station- Kudra, District- Kaimur, Bhabhua.
3. Ram Ajad Chaudhary, Son of Sri Ram Chela Chaudhary, Resident of village- Amirtha, Police Station- Kudra, District- Kaimur, Bhabhua.
4. Ashok Kumar Goswami, Son of Ramang Goswami Resident of Village- Fakharbad (Sarai), Police Station- Kudra, District- Kaimur, Bhabhua.
5. Rajvansh Seth, Son of Chandrama Seth Resident of Village- Ghatawan, Police Station- Kudra, District- Kaimur Bhabhua.
6. Ram Ashish Sharma, Son of Ramashish Sharma, Resident of Village- Amirtha, Police Station- Kudra, District- Kaimur, Bhabhua.
7. Subedar Sharma, Son of Late Langtu Sharma, Resident of Village- Ghatawan, Police Station- Kudra, District- Kaimur, Bhabhua.
8. Dadan Prasad Srivastava, Son of Late Bhagwati Lal, Resident of Village- Bhelma, Police Station- Kudra, District- Kaimur, Bhabhua.
9. Rekha Devi, Son of Nandu Paswan, Resident of Village- Fakhrabad (Sarai), Police Station- Kudra, District- Kaimur, Bhabhua.
10. Shri Ram Chaudhary, Son of Late Sukhu Chaudhary, Resident of Village- Fakharbad, Police Station- Kudra, District- Kaimur, Bhabhua.
11. Ram Jatan Ram, Son of Chhabi Ram, Resident of Village- Sonav, Police Station- Kudra, District- Kaimur, Bhabhua.
12. Nand Kishore Kumar, Son of Saryu Ram, Resident of Village- Ajagara, Police Station- Kudra, District- Kaimur, Bhabhua.
13. Keshnath Shah, Son of Panchratna Shah, Resident of Village- Ghatawn, Police Station- Kudra, District- Kaimur, Bhabhua.
14. Gopal Ram, Son of Ramchandra Chaudhry, Resident of Village- Awraiya, Police Station- Kudra, District- Kaimur, Bhabhua.
15. Babulal Ram, Son of Mallu Ram, Resident of Village- Amirtha, Police Station- Kudra, District- Kaimur, Bhabhua.
16. Veer Bahadur Prasad, Son of Gauri Shankar Prasad, Resident of Village- Bharigawa, Police Station- Kudra, District- Kaimur, Bhabhua.



17. Radhika Raman Prasad Singh, Son of Late Baidyanath Prasad Singh, Resident of Village- Amirtha, Police Station- Kudra, District- Kaimur, Bhabhua.
18. Gangadaya Prasad, Son of Ramdas Mallah, Resident of Village- Amirtha, Police Station- Kudra, District- Kaimur, Bhabhua.
19. Ram Karan Ram, Son of Late Ram Swarup Ram, Resident of Village- Harnatada, Police Station- Sonhan, District- Kaimur, Bhabhua.
20. Babban Singh, Son of Late Balgovind Singh, Resident of Village- Khanethi, Police Station- Sonhan, District- Kaimur, Bhabhua.
21. Surendra Singh, Son of Late Dhanushdhari Singh, Resident of Village- Sariudih, Police Station- Sonhan, District- Kaimur, Bhabhua.

... .. Respondent/s

Appearance :

For the Appellant/s :

For the Respondent/s :

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 23-02-2018 The appeal by the State Government calls in question the tenability of an order passed by a learned Writ Court on 24.07.2017 in CWJC No.16260 of 2016. There being delay of 30 days, I.A. No.7204 of 2017 has been filed for condonation of delay.

Against the same impugned action, Letters Patent Appeal No.1047 of 2017 was also filed by the State Government and this Bench on 23.01.2018 had dismissed the Letters Patent Appeal by a detailed order passed.

For the grounds and the reasons already considered and indicated in the order dated 23.01.2018 passed by us in Letters Patent Appeal No.1047 of 2017, we see no reason to make any



indulgence into the matter. The appeal stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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