

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.485 of 2017
In
Civil Writ Jurisdiction Case No.2131 of 2015

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1. The State Of Bihar
 2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
 3. The Chief Engineer, Water Resources Department, Birpur, District-Supaul.
 4. The Superintending Engineer, Eastern Koshi Embankment Circle, Water Resources Department, Saharsa.
 5. The Executive Engineer, Eastern Embankment Division, Water Resources Department, Supaul.

... .. Appellant/s

Versus

Pramod Kumar Singh, Son of Late Jagadish Prasad Singh. Resident of Village-Baruari, P.S.-Supaul, District-Saharsa.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Madhaw Prasad Yadaw, G.P. 23
For the Respondent/s : Mr. Satish Chandra Jha, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 26-03-2018

Apart from the fact that there is unexplained delay of one year and 297 days in filing of this appeal, we find that the learned Writ Court on 16.04.2015 disposed of the writ petition in the light of CWJC No.15349 of 2012 which was decided on 02.12.2014. Against the order passed in the said CWJC No.15349 of 2012 on 02.12.2014, the State Government did not file any appeal or challenge the order, in stead implemented the order with regard to the petitioner in the said case and in the present case also with regard to the writ petitioner, the order has



been implemented.

Now, challenge is made on the ground that certain legal questions are involved in the matter. Once both in this case, i.e. order dated 16.04.2015 passed in CWJC No.2131 of 2015 and order dated 02.12.2014 passed in CWJC No.15349 of 2012 with regard to individual petitioner, the order has been complied with and the benefit granted, now we are not inclined to interfere into the matter. We leave the legal questions canvassed by the State Government in this appeal open to be considered in an appropriate case in an appropriate stage as and when required.

With the aforesaid, the appeal stands disposed of.

(Rajendra Menon, CJ)

(S. Kumar, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
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Transmission Date	

