

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1503 of 2016

IN

Civil Writ Jurisdiction Case No. 1614 of 2014

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Abhay Kumar Choudhary son of Late Badri Narayan Choudhary resident of village - Namachak Haidar, Police Station - Chak Mahesi, District - Samastipur, at present posted as Block Agriculture Officer, Hayaghat, Darbhanga, Police Station - Hayaghat in the district of Darbhanga.

.... Petitioner/Appellant/s

Versus

1. The State of Bihar through the Director, Agriculture, Government of Bihar, Patna.
2. The Director, Agriculture, Government of Bihar, Patna.
3. The Agriculture Production Commissioner, Government of Bihar, Patna.
4. The District Magistrate, Samastipur, District - Samastipur.
5. Mritunjai Kumar son of Sri Basudeo Prasad resident of New Area, Nawadah, P.S. Nawadah, District - Nawadah.

.... Respondents/ Respondent/s

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Appearance :

For the Appellant/s : Mr. Upendra Prasad
Mrs. Veena Kumari Jaiswal

For the Respondent/s : Mr. AJAY, GA

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 26-03-2018

Seeking exception to an order passed on 22.06.2016 in
CWJC No. 1614 of 2014 this appeal has been filed under Clause 10 of
the Letters Patent.

From the documents and the material that have come on
record, particularly the Supplementary Counter Affidavit by
respondent nos. 1 to 3 we find that with regard to contention of the
petitioner that he is senior to respondent no. 5 having been appointed



as Village Level Worker in the year 1995 and the senior respondent no. 5 is concerned it is clear that in an order passed earlier in a writ petition filed by the said respondent on 21.08.2008 being CWJC No. 13579 of 2000, his date of appointment has been converted to 19.12.1994 and if respondent no. 5 is appointed on 19.1.2.1994, the contention of the petitioner he is senior in the cadre of Village Level Worker is found to be unsustainable. The Director of the Agriculture Department in terms of this order passed by the earlier writ petition having considered all these aspects and having rejected the same which is also approved by the learned Writ Court, we find no reason to make any indulgence in the matter.

The appeal is dismissed.

(Rajendra Menon, CJ)

(S. Kumar, J)

mrL/-

AFR/NAFR	NAFR
CAV DATE	N.A.
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