

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1030 of 2015

In

Civil Writ Jurisdiction Case No.10680 of 2000

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1. The State Of Bihar
 2. The Commissioner – cum- Secretary, Science and Technology Department, Government of Bihar, Patna
 3. The Director, Science and Technology Department, Government of Bihar, Patna

... .. Appellant/s

Versus

1. Sanat Kumar Pandey, Son of Shri Shyama Nand Pandey, Resident of Ginjas via Jaintpur Estate, District – Muzaffarpur
2. Sunil Kumar, Son of Shri Buddhdeo Singh, Resident of Amgola, Paraw Pokhar Road, Muzaffarpur, District – Muzaffarpur
3. Manoj Kumar Singh, son of Sri Sita Ram Shahi, Resident of Rajkhand, Police Station – Aurai, District – Muzaffarpur
4. Bindeshwar Jha, son of Late Mahadev Jha, resident of Balia, Post Office – Tisi Narsam, Police Station & Via – Banipati, District – Muzaffarpur
5. Chandra Bhushan Rai, son of Shri Jai Nandan Rai, at and post office – Koyla Asthan, Police Station – Deoti, District – Darbhanga
6. Om Prakash Thakur, son of Shri Kameshwar Thakur, Resident of Village – Labhagaon, Police Station and District – Khagaria
7. Makkhan Mishra, son of Shri Jaibir Mishra, resident of village – Chanaur, Police Station – Manigachhi, district – Darbhanga
8. Aseem Kumar Thakur, son of Shri Kameshwar Thakur, resident of Labghgaon, Police Station and District – Khagaria

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Raghawanand G. A. - 11
For the Respondent/s	:	Mr. P. K. Jaipuriyar Advocate Mr. Anshuman Jaipuriyar Advocate Ms. Anukriti Jaipuriyar Advocate

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

9 20-03-2018 Heard learned counsel for the parties.

The limitation petition is dismissed, because the appeal,



which has been preferred is against the original order passed by the writ court almost a decade ago. May be a review was preferred by the State authority, but taking cognizance of the orders, which have been passed in detail in review, where the Learned Single Judge has taken note of the fact that the decision rendered by the writ court is basically based on earlier rounds of litigations and orders passed by the High Court, which came to be affirmed right up till Hon'ble Supreme Court and the second order was passed on the previous order, which has attained finality. There is no reason as to why a dead issue or decided issue is required to be decided, merely because they feel that they have a case.

Limitation petition is dismissed, so as the appeal.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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