

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.714 of 2017

In

Civil Writ Jurisdiction Case No.11279 of 2013

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1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
 2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
 3. The Secretary, Water Resources Department, Government of Bihar, Patna.
 4. The Joint Secretary, Water Resources Department, Government of Bihar, Patna.
 5. The Chief Engineer, Water Resources Department, Government of Bihar, Patna.
 6. The Chief Engineer, Siwan Area, Water Resources Department, Water Resources Department, Bihar.
 7. The Executive Engineer, Flood Control Division No. 3, Madhubani Camp Padrauna.
 8. The Accountant General, Bihar, Patna

... .. Appellant/s

Versus

Onkar Nath Jha son of Dasrath Jha resident of Village & P.O. - Kaitha, P.S. - Shambhuganj, District - Banka.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Madhaw Prasad Yadaw
For the Respondent/s : Mr.

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 09-04-2018 On the ground that in the M.A.C.P. Rules, 2010, there was no provision or condition under Rule 45 of the A.C.P. Rule 2003 for passing of the departmental examination and it was incorporated by impugned resolution, which cannot be granted retrospective effect and in holding so, no error has been committed by the learned Writ Court warranting re-



consideration.

The appeal stands dismissed.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

N.H./ ajay gupta/-

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