

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 11158 of 2013

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Md Usman Son Of Md Yasin Resident Of Village- Amari Kukron, P.S. Dhamdaha,
District- Purnea

.... Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary Government of Bihar, Patna
2. The Principal Secretary, Rural Development Department Govt. Of Bihar, Patna
3. The District Magistrate, Purnea
4. The District Development Commissioner, Purnea
5. The Programme Officer Block B Kothi, District- Purnea
6. The Executive Engineer, Technical Examiner Cell, Vigilance Department, Bairak
No. 03, Main Secretariat Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : M/s Shankar Kr Choudhary & Amish Kr,
Advocates

For the Respondent/s : Mr Raghwendra Kumar, SC XXII

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 01-08-2018

Heard learned counsel for the petitioner and the
respondent-State

2 At the very outset, learned counsel appearing for the petitioner very fairly submits that though allegations in the case of Uma Kant Verma were different but the nature of appointment, procedure adopted and remedy exhausted were same in both the cases. The matter in the case of Uma Kant Verma has travelled upto the Division Bench and by order dated 14.12.2017 passed in LPA No 1882 of 2016, the Division Bench of this Court has excluded the



remedy of writ under Article 226 of the Constitution of India keeping in view the contractual appointment of the petitioner therein who was appointed under the same scheme on the same post as the petitioner.

3 Since the order of the Division Bench holds the field, there is no scope for proceeding in the matter in the instant proceedings. The writ petition is dismissed.

4 The petitioner would be at liberty to invoke the other remedies available to him under the law.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
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