

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.266 of 2017

In
Miscellaneous Jurisdiction Case No.2783 of 2012

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1. The State Of Bihar.
 2. Sri Pratay Amrit, The Principal Secretary, Road Construction Department, Government of Bihar, Bishweshwaraiya Bhawan Bailey Road, Patna.
 3. Dr. B. Rajendra, The Principal Secretary, Rural Works Department, Government of Bihar, Patna.
 4. Sri Rameshwar Singh, The Principal Secretary, Finance Department, Government of Bihar, Patna.
 5. Sri Sanjay Kumar Singh, The Executive Engineer, Rural Works Department, Works Division, Hathua, District- Gopalganj.

... .. Appellant/s

Versus

Pramod Kumar, Son of Late Ganga Sagar Chaudhary, Resident of Mohalla-Rajiv Nagar, P.S. Rajiv Nagar Town and District Patna Presently posted as Senior Accounts Clerk in the office of Executive Engineer, Rural Works Department, Works Division, Hathua, District- Gopalganj.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Manish Dhari Singh
For the Respondent/s : Mr. S.B.K. Mangalam

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

12 27-06-2018 There is representation on behalf of the private respondent through counsel today. In view of the same, no further steps are required for service of notice upon him.

It is brought to the attention of the Court that against the impugned order, which was passed in M.J.C No. 3243 of 2012, L.P.A. No. 265 of 2017, was preferred by the State and the same stood dismissed on 04.05.2018 as not maintainable



based on the ratio laid down by the Hon’ble Apex Court in ***D. N. Taneja v. Bhajan Lal, reported in (1988) 3 SCC 26.***

Even the present appeal, therefore, is required to be dismissed for the same set of reasons and ratio laid down in ***D. N. Taneja’s*** case.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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