

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.2021 of 2016

In

Civil Writ Jurisdiction Case No.18568 of 2014

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1. The State of Bihar through the Chief Secretary, Main Secretariat, Patna
 2. The Principal Secretary, Department of Finance, Main Secretariat, Patna.
 3. Principal Secretary, Department of Industry, New Secretariat, Vikas Bhawan, Patna.
 4. Bihar State Textile Corporation through the Managing Director, Khadi Board Bhawan, Gandhi Maidan, Patna.

... .. Appellant/s

Versus

Ajeet Kumar, S/o Sri Sakaldeep Singh, Resident of Mohalla - Chiraiyatn, P.S. Jakkanpur, District- Patna.

... .. Respondent/s

Appearance :

For the Appellant/s :

For the Respondent/s : Mr. Kishore Kumar Thakur, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 08-01-2018

Re.: Interlocutory Application No.8374 of 2016

Delay of 62 days in filing of the Letters Patent Appeal is condoned.

Interlocutory Application stands allowed and disposed of.

Re.: Letters Patent Appeal No.2021 of 2016

The learned Writ Court has decided the issue in question based on judgments rendered in LPA No.172 of 2010 and LPA No.634 of 2012 on 22.09.2014, wherein identical



issues were decided and the LPAs filed by the State Government were rejected. Even prior to that, there was a judgment in LPA No.1831 of 2011 dismissing the similar LPA of the State Government on 19.06.2012.

Considering the fact that the learned Writ Court has decided the issue in question based on the judgments of the Division Bench and the fact that the litigation policy of the State Government prevents filing of appeals when issues have already been decided, we are not inclined to interfere into the matter. The appeal stands dismissed.

Appellants are directed to confer benefit to the respondent herein now in view of the aforesaid order within a period of 30 days from the date of receipt of the certified copy of the order.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.01.2018
Transmission Date	

