

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1834 of 2017

In

Civil Writ Jurisdiction Case No.7977 of 2010

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1. Sanjay Kumar Jha, son of Late Damodar Jha, resident of Mohalla- Punaichak, P.S.-Shastrinagar, District- Patna.
 2. Asim Kumar Sinha, son of Sri Ramanand Prasad Sinha, resident of Mohalla- Williams Town, Near Munna Chowk, Police Station B Deoghar, District- B Deoghar, Jharkhand.

... .. Appellant/s

Versus

1. The State of Bihar, the Secretary, Department of Rural, Govt. of Bihar, Patna.
2. The Chairman Institute of Entrepreneurship Development, Bihar-cum-Industrial Development Commissioner, Industries Department, Govt. of Bihar, New Secretariat, Patna.
3. The Executive Director, Institute of Entrepreneurship Development, Bihar State Financial Corporation, 5th Floor, Frazer Road, Patna.
4. The State of Jharkhand through Secretary, Department of Rural Development, F.F. Building, Dhurwa, Ranchi.
5. The Special Department of Rural Development F.F. Building, Dhurwa, Ranchi.
6. The D.C./D.D.C., D.R.D.A. Dhanbad.
7. The D.C./D.D.C., D.R.D.A. West Shinghbhum, Chaibasa.
8. The D.C./D.D.C., D.R.D.A. Deoghar.
9. Kishore Tilak, son of Narayanji Tilak, resident of Village- Chakradharpur, Police Station- Chakradharpur, W. Singhbhum, Jharkhand.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Jitendra Kumar Roy, Advocate
For the Respondent/s : Mr. Anjani Kumar - AAG-4



CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 05-04-2018

Delay of 226 days in filing of this appeal is condoned. I.A. No. 9413 of 2017 stands allowed and disposed of.

In pursuance to an order passed by the State of Bihar making certain recommendations and proposing adverse action when the absorption and appointment of the writ petitioner in the State of Jharkhand was not interfered with by the learned Writ Court on the ground that until and unless the State of Jharkhand takes consequential action and passes an order on the recommendations made by the State of Bihar, no cause accrues to the petitioner, the petition is premature and granting liberty to the petitioner to challenge the subsequent action if taken by the State of Jharkhand, the writ petition was disposed of. Now, we are informed that the State of Jharkhand has also passed a consequential order which is adverse to the interest of the petitioner.

If that be so, it is a fresh cause which has accrued to the petitioner and now the petitioner is required to challenge



the subsequent action of the State of Jharkhand and while doing so, he will have liberty to challenge the recommendation and the observations made by the State of Bihar in the matter adverse to the petitioner.

Granting liberty to the petitioner to challenge the subsequent action, as has been detailed hereinabove, we dispose of the appeal.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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