

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.612 of 2017

In
Civil Writ Jurisdiction Case No.18261 of 2016

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1. The State of Bihar through the Principal Secretary, General Administrative Department, Government of Bihar, Patna.
 2. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
 3. The Under Secretary, General Administration Department, Government of Bihar, Patna.
 4. The Principal Secretary, Transport Department, Government of Bihar, Patna
 5. The Special Secretary, Transport Department, Government of Bihar, Patna
 6. The Under Secretary, Transport Department, Government of Bihar, Patna
 7. Alok Kumar, son of not known to the petitioner, presently notified District Transport officer, Muzaffarpur

... .. Appellant/s

Versus

Prabhat Kumar Son of Late Yogendra Prasad Singh Resident of Village -
Bihta, P.S. - Salimpur, District - Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Md. Irshad, Adv.
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

9 18-02-2019 Notice was issued to the sole respondent-writ petitioner on the interlocutory application filed for condonation of delay of 71 days but which has remained unserved. This matter was last taken up on 06.02.2019 when learned Standing Counsel No.2 stated at the bar that because the writ petitioner respondent had been transferred from his post of District Transport Officer, Muzaffarpur which is the address given in the writ petition that is the reason of non-service of notice. In our



opinion bearing note of the issue that was put up for consideration before the learned Single Judge that is the transfer of the petitioner within 3 months of his posting at Muzaffarpur which persuaded the learned Single Judge to quash the impugned order of transfer that the reasons for which this appeal is filed, has already been achieved with the transfer of the writ petitioner to another place, the issue has been rendered academic and thus we are persuaded to dispose of the appeal as well as the interlocutory application so filed for condonation of delay.

(Jyoti Saran, J)

(Arvind Srivastava, J)

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