

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1432 of 2018

In
Civil Writ Jurisdiction Case No.11157 of 2014

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Surya Mohan Yadav, son of Sri Satya Narayan Yadav, resident of Village-
Mubarakpur, P.O. Enai, Police Station Revilganj, District Saran.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development Department, Government of Bihar, Patna
2. Nagar Nigam, Chapra through its Municipal Commissioner, At and P.O. and P.S. Chapra, District Saran.
3. The Mayor, Nagar Nigam, Chapra, At and P.O. and P.S. Chapra, District Saran.
4. The Empowered Standing Committee, Nagar Nigam, Chapra through its Chairman, At and P.O. and P.S. Chapra, District- Saran
5. The Municipal Commissioner, Nagar Nigam, Chapra, At and P.O. and P.S. Chapra, District Saran.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Gyan Prakash, Advocate
For the Respondent/s	:	Mr.Yogendra Prasad Sinha- AAG-7
For the Nagar Parishad	:	Mr. Indu Bhushan, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 15-11-2019

Having heard learned counsel for the parties as also perused the writ record, we are not inclined to interfere with the impugned judgment dated 28.08.2018 passed in C.W.J.C. No. 11157 of 2014, titled as Surya Mohan Yadav Vs. The State of Bihar & Ors., more so, in view of the concession recorded in Paragraph 9 of the impugned judgment.



[2]. On merits, we find the findings of fact returned by the learned Single Judge in Paragraphs 3 and 4 with regard to the issues of advertisement and constitution of the Selection Board not to be factually incorrect. Petitioner's selection and appointment ought to have been made in accordance with law, which was not so done, as has been held by the learned Single Judge.

[3]. This appeal is accordingly disposed of clarifying that the liberty granted to the writ-petitioner in terms of Paragraph 9 of the impugned judgment shall prevail as it is.

(Sanjay Karol, CJ)

(Dinesh Kumar Singh, J)

P.K.P./-

AFR/NAFR	
CAV DATE	
Uploading Date	16.11.2019.
Transmission Date	

