

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1075 of 2016

In
Civil Writ Jurisdiction Case No.17270 of 2009

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Ranjan Yadav s/o Late Singheshwar Yadav, Resident of Mohalla- Khojabazar
Kotwali Munger District- Munger.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sri Jai Prakash Mandal, the Secretary Special, Department of Urban Development and housing Department
3. Sri Vijay Ranjan, the Deputy Secretary, Department, of Urban Development and Housing Department, New Secretariat, Patna, Bihar
4. Sri Amrendra Pd. Singh, the District Magistrate, Munger, District Munger.
5. Smt. Kum-Kum Devi the Mayor-cum-President, Munger Municipality District Munger.
6. Sri Dinesh Dayal Lal the Incharge Nagar Ayukta/ the Executive Officer, Municipality Munger, District Munger
7. Smt. Rakhi Kumari Keshari, the then, Special Officer, Munger Municipality Munger District- Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shambhu Sharan Singh
For the State : Mr. Arun Kumar Sinha, AC to GP 24
For Opp. Party nos. 5, 6 and 7 :Mr. Shivendra Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

7 22-02-2019 Heard.

Considering the show cause filed on behalf of the opposite parties that no post is admissible in the Municipality, in exercise of contempt jurisdiction no direction can be issued in the present proceeding in view of the judgment of the Apex Court in the case of *Union of India vs. Subedar Devassy PV [(2006) 1 SCC 613]* reiterated in the case of *Sudhir Vasudeva, Chairman and MD, Natural*



Gas Corporation Ltd. & Ors. vs. M George Ravishekheran & Ors. [(2014) 3 SCC 373].

However, liberty shall be available to the petitioner to challenge the legality and validity of the decision taken by the State refusing approval of promotion of the petitioner in the Municipality in an appropriate proceeding in accordance with law.

With the aforesaid, the present proceeding is dropped and the application stands disposed of.

(Anil Kumar Upadhyay, J)

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