

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.407 of 2018

In

Civil Writ Jurisdiction Case No.278 of 2016

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Harinandan Yadav Son of Late Ram Lakhan Yadav Resident of Quarter No.
183/800, P.S. Shastri Nagar, District- Patna

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, General Administration Department, Government of Bihar, Patna
3. The Chairman, Grievance Redressal Committee, General Administration Department, Government of Bihar
4. The Deputy Secretary, General Administration Department, Government of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashok Kumar Choudhary, Advocate
Mr. Prakash Kumar, Advocate
For the Respondent/s : Mr.P.K.Verma -AAG-3

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 16-01-2019

After having heard learned counsel for the appellant at length we find that there was an error in the moving of a writ petition without a prayer for the relief of a certiorari to quash the order dated 7th August, 2014.

In the absence of any such relief, the judgment of the learned Single Judge cannot be held to be erroneous.

Learned counsel urged that the relief could have been moulded by the Court in order to meet the ends of justice



keeping in view that such reliefs have been granted by this Court particularly in the case of Mahesh Prasad Singh and others Vs. The State of Bihar and others (C.W.J.C. No. 1016 of 2016) decided on 2nd of January, 2019. The said judgment has been delivered later on but at the same time we do not find that any such prayer being made before the learned Single Judge or even in the appeal itself.

Learned counsel submits that the appellant may be permitted to mould the relief accordingly or seek review of the judgment dated 29th January, 2018 on the ground of mistake of counsel.

The said liberty to seek review as may be permissible in law is granted. The appeal is consigned to records with the aforesaid liberty.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

P.K.P./-Jagdish

AFR/NAFR	
CAV DATE	
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