

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Letters Patent Appeal No.750 of 2018**  
**In**  
**Civil Writ Jurisdiction Case No.19061 of 2017**

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1. The State Of Bihar through the Principal Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
  2. The Principal Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
  3. The Engineer-in-Chief-cum-Special Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
  4. The Chief Engineer, Department of Public Health Engineering (Mechanical), Bihar, Patna.
  5. The Superintending Engineer, Public Health Engineering Circle, Bhagalpur.
  6. The Executive Engineer, Public Health Division, Bhagalpur West, Bhagalpur.

... .. Respondents- Appellant/s

Versus

1. Shashi Bhushwan Devi W/o Late Ambika Prasad Sah, Resident of Village P.O.- Khutaha, P.S.- Lodipur, District- Bhagalpur.

..... Petitioner-Respondent 1<sup>st</sup> Set.

2. The District Magistrate, Bhagalpur.
3. The Accountant General (A and E), Bihar, Patna.
4. The District Account Officer, Bhagalpur.
5. The Treasury Officer, Bhagalpur.

... .. Respondents -Respondents 2<sup>nd</sup> Set.

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**Appearance :**

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|----------------------|---|-----------------------------------------------------------------------------------------------------------------|
| For the Appellant/s  | : | Mr. S. Raza Ahmad, Senior Advocate, AAG-5<br>Mr. Vishambhar Prasad, AC TO AAG 5<br>Mr. Alok Ranjan, AC to AAG-5 |
| For the Respondent/s | : | Mr.                                                                                                             |

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

3      24-07-2019

**Re.: I.A. No.4164 of 2018**

There is a limitation petition reporting 74 days of



delay in the filing of the appeal. Even though now the matter remains academic, yet we condone the delay and treat the appeal within time.

**Re.: L.P.A. No.750 of 2018**

The learned Additional Advocate General has invited the attention of the Court to the issue raised and we find that the matter stands covered by the Full Bench decision rendered by this Court in the case of **Mobina Khatoon Versus State of Bihar & Ors**, reported in **2019 (1) PLJR 1015**.

Accordingly, the appeal cannot succeed in view of the ratio of the Full Bench decision and it is, accordingly, consigned to records.

**(Amreshwar Pratap Sahi, CJ)**

**(Anjana Mishra, J)**

Sunil/-

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