

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1149 of 2018

In

Civil Writ Jurisdiction Case No.8335 of 2018

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Ram Chandra Sharma Son of Late Bachchu Sharma, present resident of
Adarsh Vihar Colony, P.S.- Rupaspur, District- Patna.

... .. Appellant/s

Versus

1. The State Of Bihar through the Secretary, Rural Works Department,
Government of Bihar, Vishwasarya Bhawan, Bailey Road, Patna
2. Secretary, Rural Works Department, Government of Bihar, Vishwasarya
Bhawan, Bailey Road, Patna Bihar
3. Special Secretary, Rural Works Department, Government of Bihar,
Vishwaswaraya Bhawan, Patna Bihar.
4. Secretary, Planning and Development Department, Govt. of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Binod Kumar, Advocate

For the Respondent/s : Mr. Manish Kumar, A.C. to A.A.G-6

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 24-07-2019

I.A. No. 6231 of 2018

After having heard learned counsel for the
appellant, we are satisfied that the sufficient cause has been
shown to condone the delay.

Delay is accordingly, condoned and the appeal
shall be treated to be within time.

L.P.A. 1149 of 2018

Heard learned counsel for the appellant.



This appeal has questioned the correctness of the judgment dated 4th May, 2018 whereby the writ petition filed by the appellant was dismissed and his prayer for quashing of the second show cause notice and staying the departmental proceedings was declined.

It is undisputed that during the pendency of this litigation, the appellant has attained the age of superannuation on 31st of January, 2019.

In the said circumstances, the prayer made in the writ petition as also in the present appeal cannot be granted as the very cause of action for which the lis was instituted has become infructuous.

Accordingly, the appeal is consigned to records without prejudice to the rights of the appellant to claim whatever benefits he may be entitled to in law.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

Saif/-

AFR/NAFR	
CAV DATE	N.A.
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