

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1260 of 2018

In
Civil Writ Jurisdiction Case No.1822 of 2016

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-
1. The State of Bihar through District Magistrate, Gopalganj
 2. Additional Collector, Gopalganj
 3. Deputy Collector, Establishment, Gopalganj

... .. Appellant/s

Versus

1. Shambhu Prasad Baitha, Son of Shivshankar Baitha, Residence of village - Chhapia, Ward No. 12, P.S. Gopalganj, District - Gopalganj.
2. Sanjay Kumar Gupta, S/o Arun Kumar Gupta, Residence of village - Hansraipur, P.S. Ekma, District - Saran.
3. Satyanand Rajak, Son of Siyanand Baitha, Residence of village - Manikpur, P.S. Distt. - Gopalganj.
4. Najare Imam, Son of Safdar Ali, Residence of village - Jangalia Ward No. 9, P.S. District - Gopalganj.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. P. K. Verma, AAG 3
For the Respondent/s : Mr. Rajendra Narain, Sr. Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 19-03-2021

The challenge is to the order dated 13.12.2017 passed in C.W.J.C. No.1822/2016 (Shambhu Prasad Baitha & Ors. Versus the State of Bihar & Ors.).

We dispose of the present appeal upholding the direction issued by the learned Single Judge to the extent of consideration of petitioners' case on merits. However, we clarify



that the authority shall do so, as per the rules and settled principles of law, more so, the judgment rendered by this Court in C.W.J.C. No.10444 of 2005, titled as Shankar Singh & Ors. Vs. The State of Bihar & Ors., as also by the Hon'ble Supreme Court in S.L.P. (C) No.17478 of 2010, titled as Nandjee Manjhi & Ors. Vs. State of Bihar & Ors., uninfluenced by any observation made in the impugned judgment.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
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