

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9311 of 2021

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Sanjeev Kumar Son of Rajendra Prasad resident of Mohalla - Jay Prabha Nagar Kayasth Tola Saharsa P.S. and District- Saharsa.

... .. Petitioner/s

Versus

1. The state of Bihar through the Chief Secretary of Secretariat Bihar Patna.
2. The Principal Secretary Law Department Govt. of Bihar, Patna.
3. The Joint Secretary Law Department Govt of Bihar, Patna.
4. The Commissioner Koshi Division Saharsa.
5. The District - Magistrate Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate
For the Respondent/s : Mr. Lalit Kishore (AG)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 17-02-2022

This matter is heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 Pandemic.

In the instant petition, petitioner has prayed for the following relief(s):-

“(i) For Setting aside the letter No C/AS (N)-17 1982-5564/J dated 05.10.2020 issued under Signature of the Joint Secretary Law Department Govt of Bihar the where by and whereunder the petitioner has been directed to hand over the charge of the Case relating to Labour Act to Sri Arun Kumar Ram, the Additional Public Prosecutor Saharsa.

(ii) For Setting aside the letter No 33-1/Vidhi dated 5.5.2020 of the District Magistrate Saharsa to the Joint Secretary Law Department Govt



of Bihar Patna whereby and whereunder has been requested to appoint any other it advocate than the Petitioner to conduct the Case relating to the Labour Act as Special Public Prosecutor (Labour Act) Saharsa.

(iii) for stay of the operation of Annexure I and III till disposal of the present writ application.

(iv) For any other relief (S) to which the Petitioner may be found entitled in the facts and circumstances of the Case”

The petitioner has not pointed out any vested right so as to question the validity of order dated 05.10.2020 and 05.05.2020 Letter No. C/AS (N)-17 1982-5564 and Letter No. 33-1/Vidhi for the simple reason that petitioner was asked to conduct certain cases on behalf of Department. If the Department withdraws any of the cases from the petitioner he has no right for the simple reason that Department being a client and petitioner being a Law Officer it is the decision of the department-client as to continue a case with the particular Law Officer or not. Therefore, the present petition stands dismissed.

(P. B. Bajanthri, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

