

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.582 of 2019

1. The State of Bihar through the Principal Secretary, Department of Health, Govt. of Bihar, Patna
2. The Principal Secretary Department of Health, Govt. of Bihar, Patna
3. The Director-in-Chief Health Services, Govt. of Bihar, Patna

... .. Appellant/s

Versus

Pawan Kumar S/o Rajballabh Singh Vill. and P.O.- Alinagar, P.S.- Suryagarha,
Distt.- Lakhisarai, presently posted as Clerk, Primary Health Centre,
Bakhtiyarpur, Distt.- Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Suryakant Kumar, AC to GA 8 Mr. Ajay Bihari Sinha, Advocate
For the Respondent/s	:	Mr.

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

3 03-08-2022 Heard learned counsels for the parties.

The present appeal is against order dated 06.12.2017
of the Learned Single Judge passed in C.W.J.C. No. 10553 of
2014.

The Learned Single Judge order is with reference to
the consent given by the petitioner and respondent – State
Government read with decision in L.P.A. No. 167 of 2016
decided on 23.06.2017. In the present appeal, the learned
counsel for the appellants submitted that respondent Pawan
Kumar's case is distinguishable with reference to the order



dated 23.06.2017 passed in L.P.A. No. 167 of 2016. In that event, the appellant - State has a remedy to file review petition before the Learned Single Judge for the reasons that decision rendered in C.W.J.C. No. 10553 of 2014 is not on merit.

Accordingly, present appeal stands disposed of reserving liberty to file review petition before the Learned Single Judge.

(P. B. Bajanthri, J)

(Rajiv Roy, J)

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