

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1872 of 2017

In
Civil Writ Jurisdiction Case No.1240 of 2017

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Ramchandra Prasad Singh Son of Late Bholi Singh, Resident of Village- Sul-
tani, P.S.- Parsa Bigha, Dist.- Jehanabad.

... .. Appellant/s

Versus

1. The State of Bihar
2. The Director, Secondary Education, Human Resources Department, Govern-
ment of Bihar, Patna.
3. The District Collector, Arwal.
4. The District Education Officer, Arwal.
5. The Treasury Officer, Arwal.
6. The Accountant General, Birchand Patel Path, Bihar, Patna.
7. The Account Officer, Accountant General Office, Birchand Patel Path, Bi-
har, Patna.
8. The Branch Manager, Bank of India, Arwal.
9. The Pension officer, Bank of India, Arwal.
10. Tilka Manjhi Bhagalpur University Bhagalpur through its Registrar.
11. Narendra Kumar, Son of Late Laldev Singh, resident of Village- Daniyala,
P.O. Shadipur, P.S.- Karpi, Dist.- Arwal Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Nitya Nand Neeraj, Advocate
For the Respondent/s : Mr.

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

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

6 17-08-2022 In the instant petition, on 01.08.2022, the following
order was passed:-

*“Matter is of the year 2017.
Advocate on record is stated to be indis-
posed.*



*Perusal of the record it is evident that LPA is not maintainable against the order of the learned Single Judge dated 06.12.2017 passed in CWJC No. 1241 of 2017 filed by one Narendra Kumar vs. The State of Bihar & Ors. If the petitioner who is a third party to the writ petition is aggrieved by the order of the learned Single Judge dated 06.12.2017 passed in CWJC No. 1241 of 2017 he has remedy of filing fresh writ petition in recalling the order of the learned Single Judge dated 06.12.2017 in the light of Hon'ble Apex Court decision in the case of **Shivdeo Singh and Ors. vs. State of Punjab and Ors.** reported in **AIR 1963 SC 1909**.*

In order to give one more opportunity relist this matter on 16.08.2022.

It is made clear that no further time would be granted on the next date of hearing.”

Today, learned counsel for the petitioner could not apprise this Court as to how LPA filed by Ramchandra Prasad Singh is maintainable against the order dated 06.12.2017 passed in CWJC No. 1241 of 2017 of which he was not party. Accordingly, the present LPA stands dismissed in the light of Hon'ble Apex Court decision in the case of **Shivdeo Singh and Ors. vs. State of Punjab and Ors.** reported in **AIR 1963 SC 1909** reserving liberty to the Appellant to question the validity of order dated 16.12.2017 passed in CWJC No. 1241 of 2017, in accor-



dance with principle laid down in the aforementioned decision.

(P. B. Bajanthri, J)

(Rajiv Roy, J)

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