

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.599 of 2021
In
Civil Writ Jurisdiction Case No.5135 of 2020

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1. The State of Bihar Bihar
 2. The Chief Secretary, Government of Bihar, Patna.
 3. The Additional Chief Secretary cum Appellate Authority, General Administration Department cum Appellate Authority, Service Complaint Redressal, Government of Bihar, Patna.
 4. The Service Complaint Redressal Officer, General Administration Department, Government of Bihar, Patna.

... .. Appellant/s

Versus

1. Murari Prasad Son of Late Jagdish Prasad Resident of House No. 05, Old Arvind Mahila College, Near Royal Nursery, P.S.- Phulwari, District- Patna
2. The Bihar Public Service Commission Through its Secretary, Bailey Road, Patna
3. The Secretary, Bihar Public Service Commission, Bailey Road, Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Md.Nadim Seraj, GP5 Mr.Shailesh Kumar (A.C. To G.P.5)
For the BPSC	:	Mr.Sanjay Pandey, Advocate Mr.Vijay Shankar Upadhyay, Advocate
For the Respondent/s	:	Mr.Jagnnath Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and

HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL ORDER

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

5 04-09-2024

Re:I.A. No. 02 of 2021

Heard I.A. No. 02 of 2021, there is a delay of about 99 days in filing LPA. Even though sufficient cause has not been shown. Having regard to the fact that there is a delay of about 99 days in filing LPA, delay stands condoned. Accordingly, I.A. No. 02 of 2021 stands allowed.

2. Pursuant to our order dated 21.08.2024, learned counsel for the State on instruction submitted that they had



preferred LPA No. 10 of 2022 arising out of CWJC No. 5121 of 2020 and connected matters. Both the LPA(s) were allowed in favour of the State. Hence, the matter is required to be heard in the light of order dated 09.07.2024 passed in LPA No. 10 of 2022.

3. Learned counsel for the respondents is hereby directed to peruse the order of the LPA and make his submission as to whether the present LPA is covered by LPA No. 10 of 2022 in favour of State-appellant or not?

4. Relist this matter on 11.09.2024.

5. At this stage, learned counsel for the respondents - *Mr. Jagannath Singh* fairly submitted that the present LPA could be allowed in the light of Co-ordinate Bench decision in LPA No. 10 of 2022. Taking note of such statement, the present LPA No. 599 of 2021 allowed in terms of LPA No. 10 of 2022. Accordingly, order dated 23.06.2021 passed in CWJC No. 5135 of 2020 and CWJC No. 5141 of 2020 stands set aside.

6. Pending Interlocutory Application(s), if any, stands disposed of.

(P. B. Bajanthri, J)

(G. Anupama Chakravarthy, J)

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