

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.229 of 2021

In

Civil Writ Jurisdiction Case No.18612 of 2019

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1. Dhananjay Kumar Son of Budhan Yadav Resident of village- Pranpur Sahro, Police Station- Paraiya, District- Gaya
 2. Rajeev Kumar Son of Shri Arun Kumar Sharma Resident of village- Pgayaa, Post Office- Gaya, Police Station- Gaya, District- Gaya
 3. Wasi Imam Son of Ali Imam Resident of village- Ibrahimpur, Post Office- Kinger, Police Station- Kurtha, District- Gaya
 4. Arun Kumar sinha Son of Arjun Lal Resident of village- Pachhatti, Post Office- Bodh Gaya, Police Station- Bodh Gaya, District- Gaya

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna
2. The Principal Secretary, General Administrative Department, Government of Bihar, Patna
3. The Commissioner, Gaya
4. The Collector, Gaya-cum-Chairman, Selection Committee Group Gha Post Gaya
5. The Additional Collector, Gaya
6. The District Development Commissioner, Gaya
7. The District Welfare Officer, Gaya
8. The Additional Collector, Establishment, Gaya
9. The Deputy Collector, Establishment, Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Virendra Prasad, Advocate
For the Respondent/s : Mr. P.K.Verma, AAG 3



CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

CAV JUDGMENT

(Per: HONOURABLE MR. JUSTICE PARTHA SARTHY)

Date : 7-01-2025

Heard learned counsel for the parties.

2. The appellants have preferred this appeal against the judgment dated 18.12.2019 passed in CWJC no. 18612 of 2019.

3. CWJC no. 18612 of 2019, CWJC no.19179 of 2019, CWJC no. 19753 of 2019 along with analogous cases was dismissed by the learned Single Judge by a common judgment dated 18.12.2019. LPA no.1183/2023 (arising from CWJC no.18612/2019) and LPA no.303/2020 (arising from CWJC no.2332/2020) were heard together and dismissed by order dated 17.2.2024.

4. It may be observed here that so far as the appellants of the instant appeal are concerned, they were not a party in the writ application. They have filed the instant appeal without any application for leave as required under the Patna High Court Rules and also have not made the writ petitioners of CWJC no. 18612 of 2019 (from which the instant appeal arises), as parties in the instant appeal.

5. Further the orders impugned in this appeal is a



common order in three writ petitions and the appellants have filed only one appeal from one of the writ petitions.

6. In view of the above, the Court is of the opinion that the appeal is fit to be rejected on each of these grounds, specially non-joinder of necessary parties. We make it clear that we have not dealt with the merits of the impugned judgment and if any appeal is properly instituted then the rejection of this writ petition shall not affect the disposal of that appeal.

7. The appeal is dismissed.

(Partha Sarthy, J)

K. Vinod Chandran, CJ

(K. Vinod Chandran, CJ)

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