

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.397 of 2022

In

Civil Writ Jurisdiction Case No.193 of 2020

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1. Paras Ram Son of Late Sariman Ram, resident of village - Matiyaria, Post Office Makhua via Turkaulia, Police Station Harsiddhi, District - East Champaran.
 2. Krishna Ram, Son of Dashai Ram, resident of Matiyaria, Post Office Makhua, Police Station Harsiddhi, District - East Champaran.
 3. Kishore Paswan, Son of Khedu Paswan, resident of village and Post Office Raghunathpur Bazar, Police Station Sugauli, District - East Champaran.
 4. Anuj Kumar, Son of Nagendra Tiwary, resident of village and Post Office Gawatya, Police Station Chakiya, District - East Champaran.
 5. Rama Kant Pandit, Son of Darbari Pandit, resident of village and Post Office Gudra, Police Station Majhaulia, District West Champaran.
 6. Krishna Kumar Jha, Son of Late Bharat Jha, resident of village Bhaishara, Post Office Ramgarhwa, District - East Champaran.
 7. Lal Babu Prasad, Son of Ramadhar Prasad, resident of village Purainiya, Post Office - Bakhari, Police Station Kalyanpur, District East Champaran.

... .. Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Department of Health, Government of Bihar, Patna.
2. The Director-in-Chief, Health Services, Health Department, Government of Bihar, Patna.
3. The Divisional Commissioner, Tirhut Division, Muzaffarpur, District - Muzaffarpur.
4. The District Magistrate-cum-Collector, East Champaran, Motihari, District East Champaran.
5. The Deputy Collector, Establishment, East Champaran, Motihari, District East Champaran.
6. The Civil Surgeon-cum-Chief Medical Officer, East Champaran, Motihari, District East Champaran.
7. District Malaria Officer, East Champaran, Motihari, District East Champaran.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Ravindra Nath Dubey, Advocate
For the Intervenor Respondent	:	Mr.Sharndanand Mishra, Advocate
		Mr.Atul Kumar, Advocate
For the State	:	Mr.S.D. Yadav (Aag9)
		Mr.Anil Kumar Verma, Ac to Aag 9



CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

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

7 07-08-2025

Re:I.A. No. 02 of 2025

Heard I.A. No. 02 of 2025, there is a delay of about 05 days in filing LPA. For the reasons stated in application read with affidavit, delay of about 05 days in filing LPA stands condoned. Accordingly, I.A. No. 02 of 2025 stands allowed.

2. Appellants have assailed the order dated 28.06.2022 passed in CWJC No. 193 of 2020. Matter relates to selection and appointment for Class-IV post. During pendency of CWJC No. 193 of 2020, the respondents have proceeded to select and appoint merited candidates on 26.06.2019. In other words, during pendency of the aforementioned petition. In all fairness, writ petitioners should have impleaded such of those selected and appointed candidates and so also challenging the selection and appointment, if it was not in order. Such action has not been taken timely and even to this day there is no filing of independent writ petition insofar as challenging the selection and appointment of Class-IV employees dated 26.06.2019. Therefore, the appellants have not made out a case so as to interfere with the order of learned Single Judge dated



28.06.2020 passed in CWCJ No. 193 of 2020. Hence, the present LPA No. 397 of 2022 stands dismissed.

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

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

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