

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.476 of 2022

In
Civil Writ Jurisdiction Case No.17526 of 2017

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1. The State of Bihar, Bihar.
 2. The Principal Secretary, General Administration Department, Government of Bihar, Old Secretariat.
 3. The Deputy Development Commissioner, Supaul.
 4. The District Magistrate, Supaul.
 5. The Deputy Collector Establishment, Supaul.
 6. The Sub- Divisional Officer, Triveniganj, Supaul.
 7. The District Selection Committee, Through its Chairman-cum- District Magistrate, Supaul.
 8. The District Malaria Officer, Supaul.

... .. Appellant/s

Versus

Lalan Kumar, Son of Sri Mahanti Yadav, Resident of Village and Post Office - Malhanma, Police Station - Triveniganj, District - Supaul.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Md. Fazle Karim, AC to SC-1
For the Respondent/s	:	Mr. Pranav Ranjan, Advocate Mr. Ujjawal Bhushan, Advocate

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 25-06-2025

Re.- I.A. No. 1 of 2022

Md. Fazle Karim, the learned Advocate for the appellants/applicants presses I.A. No. 1 of 2022 for condoning the delay of 7 months and 20 days in



preferring this appeal.

2. For the reasons stated in the application, the delay of 7 months and 20 days in preferring this appeal is condoned.

3. I.A. No. 1 of 2022 stands allowed.

Re.- L.P.A. No. 476 of 2022

4. The judgment under challenge is dated 13.12.2021 passed in C.W.J.C No. 17526 of 2017, whereby the learned Single Judge has directed the respondents to include the name of the writ-petitioner (respondent herein) in Annexure-D instead of Annexure-F. This direction was given on the strength of an office order of the Malaria Officer, Supaul, dated 10.04.2012 contained in Memo No. 36.

5. A plain reading of the aforementioned communication indicates that the writ-petitioner (respondent) had not completed 240 days.

6. There appears to be a mistake in comprehending the contents of Memo No. 36, as a result



of which the aforementioned order has been passed.

7. The learned counsel appearing for the sole respondent, who is the beneficiary of the impugned judgment, fairly concedes that the order has been passed on an erroneous understanding of the communication of the Government referred to above.

8. Considering this aspect of the matter, we set aside the impugned judgment dated 13.12.2021 passed in C.W.J.C. No. 17526 of 2017.

9. The appeal stands allowed.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Manoj/P.K.P.-

AFR/NAFR	NAFR
CAV DATE	NA
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