

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.694 of 2021

In

Civil Writ Jurisdiction Case No.16824 of 2015

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1. Dr. Nirmal Kumar Singh S/o Sri. Dr. Narayan Prasad Singh Resident B - 204, Raj Tower, Road No. II, Kishori Mohan Complex, P.S. Kotwali, District - Gaya, Presently Posted On Animal Husbandry Officer, Minor Animal Development Scheme, Gaya (Aurangabad), Now posted as Veterinary Surgeon, District- Madhepura.
 2. Dr. Sunil Kumar S/o Late Sidheshwar Prasad Singh R/o Teliya Mai, P.S. Ekangar Sarai, District - Nalanda, Previously Posted as Towering Veterinary Officer, Kashi chowk, District - Nawada, Now posted at Asstt. Polutary Officer, Jehanabad.

... .. Appellant/s

Versus

1. The State of Bihar Through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary Animal Husbandry and Fisheries Resources Department, Bihar, Patna.
3. The Principal Secretary, General Administration, Government of Bihar, Patna
4. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
5. Dr. Dhruv Narayan S/o Late Kamla Prasad Singh Resident of Road No. 8, Rajeev Nagar, P.S. Rajeev Nagar, Patna. Now retired.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sanjeeb Kumar Sanju, Advocate Mr. Sunil Kumar, Advocate Mr. Upendra Mishra, Advocate Mr. Bhaskar Sandilya, Advocate Mr. Ravi Kumar, Advocate
For the Respondent/s	:	Mr. Md. Khurshid Alam, AAG-12

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

and

HONOURABLE MR. JUSTICE RAMESH CHAND

MALVIYA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

Date : 29-07-2025

The present intra court appeal has been filed challenging
the order dated 16.11.2021 of the learned Single Judge passed in



CWJC No. 16824 of 2015, whereby the writ petition was dismissed. The learned Single Judge while dismissing the writ petition held that the persons who were transferred to a higher post ahead of the appellants/petitioners, were not made party in the writ petition.

2. Learned counsel for the appellants submits that certain junior persons were given higher post ignoring the appellants. Subsequently, during the pendency of the writ petition, the names of those junior persons were mentioned and in the counter affidavit, they accepted that they have been promoted.

3. The learned counsel for the appellants further admits that those junior persons have not been made party in this appeal also.

4. Paragraph No. 5 of the impugned judgment dated 16.11.2021 reads as under: -

“No doubt, Article 14 of the Constitution of India protects the right of the petitioners but at the same time the petitioners have not arrayed such of those persons to a higher post ignoring the petitioners' name.”

5. After considering the facts of the present case, it is clear that the persons who were transferred to a higher post, as



per the appellants, were not made party in the writ petition and nor in this appeal. Therefore, the order of the learned Single Judge requires no interference.

6. Accordingly, the appeal is dismissed.

(Sudhir Singh, J)

(Ramesh Chand Malviya, J)

Anushka/-

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CAV DATE	
Uploading Date	04.08.2025
Transmission Date	

