

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1616 of 2019

In
Civil Writ Jurisdiction Case No.5476 of 2019

=====

Md. Azhar Imam @ Azhar Imam Son of Late Abdul Ahad Resident of
Village- Charuanwan,P.S. Shekhopur, Dist.-Sheikhpura

... .. Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Department Food and Consumer, Bihar, Patna.
2. The Principal Secretary, Department of Food and Consumer, Bihar, Patna.
3. The District Magistrate, Sheikhpura.
4. The Deputy Development Commissioner, Sheikhpura.
5. The Sub-Divisional Officer, Sheikhpura.
6. The Block Development Officer, Shekhopur Sarai, District- Sheikhpura.

... .. Respondent/s

=====

Appearance :

For the Appellant/s	:	Mr. Vijay Kumar, Advocate
For the Respondent/s	:	Mr. S. Raza Ahmad, AAG 5
		Mr. Alok Ranjan, AC to AAG 5

=====

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

6 06-02-2025 Appellant has assailed the order of the learned Single Judge dated 08.11.2019 passed in CWJC No. 5476 of 2019. The learned Single Judge had disposed the appellant's writ petition in the light of order passed in CWJC No. 4449 of 2019. On this issue, learned counsel for the appellant submitted that in paragraph No. 20 of the writ petition, he has taken the following contention :

“That it is stated and submitted that



according to annexure-6, said to be demand notice was issued to the petitioner on the basis of report of Justice Uday Sinha, Judicial Enquiry Commission but neither matter of the petitioner sent before the Judicial Enquiry Commission nor any information or notice received by the petitioner from said Judicial Enquiry Commission nor any report through which demand notice has been served upon the petitioner.”

Therefore, the aforementioned decision passed in CWJC No. 4449 of 2019 is not applicable to the appellant’s case. If the learned Single Judge has committed error in not taking note of paragraph No. 20 of the writ petition, in that event, the appellant has remedy of filing civil review and not in filing LPA.

2. Accordingly, present LPA No. 1616 of 2019 stands dismissed, reserving liberty to the appellant to invoke remedy of filing civil review.

(P. B. Bajanthri, J)

(Sunil Dutta Mishra, J)

GAURAV S./-

U			
---	--	--	--

