

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.239 of 2023

In

Civil Writ Jurisdiction Case No.1766 of 2018

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Nandu Prasad Gupta S/o Shivrat Sao, R/o Village- Jakhim, P.S.- Rafiganj,
District- Aurangabad, Bihar.

... .. Appellant/s

Versus

1. The State of Bihar through the Secretary, Higher Education, Government of Bihar, Patna.
2. The Director Higher Education, New Secretariat, Bihar, Patna.
3. The Regional Dy. Director, Department of Education, Magadh Range, Gaya.
4. The District Education Officer, Aurangabad, Bihar.
5. The Headmaster, High School, Siris, Aurangabad, Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar, Advocate
Mr. Surendra Kumar Mishra, Advocate
Mr. S. Singh, Advocate.

For the Respondent/s : Mr. Apurva Kumar, AC to GA-12

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 30-06-2025

We have heard Mr. Sanjay Kumar, the learned
Advocate for the appellant and Mr. Apurva Kumar, the



learned Advocate for the State.

2. The appellant is aggrieved by the judgment dated 02.01.2023 passed in C.W.J.C. No. 1766 of 2018, whereby his writ petition stood dismissed.

3. The appellant was appointed on the post of Clerk by one Ram Yatan Paswan, but was removed from service wayback on 31.12.1996 on the ground of his appointment being faulty.

4. The contention of the appellant before the Writ Court was that there were other appointees on the post of Clerks by the same person, viz., Ram Yatan Paswan, but they were allowed to continue in service.

5. The Writ Court did not enter into such set of facts for the reason that the appellant had approached this Court after 22 years of his having been removed from service.

6. We have no other option except to ratify the judgment impugned in the present appeal.



7. There is no merit in this appeal. The appeal stands dismissed.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

manoj/sujit-

AFR/NAFR	NAFR
CAV DATE	NA
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