
(2020) 12 PAT CK 0367

In the Patna High Court

Case No : Letters Patent Appeal No. 1416 Of 2016, Civil Writ Jurisdiction Case
No. 19938 Of 2012

Kamta Pandit

APPELLANT

Vs

State Of Bihar And Ors

RESPONDENT

Date of Decision : 14-12-2020

Acts Referred:

Citation : (2020) 12 PAT CK 0367

Hon'ble Judges : Sanjay Karol, CJ;S. Kumar, J

Bench : Division Bench

Advocate : Shiv Kumar, S.K.Mandal

Final Decision : Disposed Of

Judgement

Vide impugned judgment dated 1st of September, 2014 passed in C.W.J.C. No. 19938 of 2012, titled as Kamta Pandit Vs. The State of Bihar & Ors.,

the learned Single Judge has dismissed the writ petition preferred by the writ petitioner/present appellant.

Learned counsel for the petitioner/appellant herein states that in the cases of similarly situated persons, Honâ??ble The Apex Court has considered

the issue and the present appeal can be disposed of with a direction to the respondent State/authorities to consider the petitionerâ??s case in the light

of the judgment rendered by Honâ??ble The Apex Court in S.L.P. (Civil) CC 17435 of 2013, titled as State of Bihar & Ors. Vs. Birendra Prasad

Singh @ Birendra Prasad. State has no objection to the same save and except that the judgment passed by the learned Single Judge be not interfered

with.

Accordingly, the appeal can be disposed of on the following mutually agreeable

terms:

(a) The present appeal stands disposed of, as prayed for by the learned counsel for the petitioner/appellant;

(b) The petitioner/appellant shall approach the respondent authorities within a period of two months from today, inviting attention as to how the

petitioner's case is covered in terms of the decision rendered by Hon'ble The Apex Court in S.L.P. (Civil) CC No.17435 of 2013, titled as

State of Bihar & Ors. Vs. Birendra Prasad Singh @ Birendra Prasad (supra).

(c) The authority shall consider the petitioner's case and pass a reasoned order, copy whereof shall be supplied to the learned counsel for the

petitioner/appellant herein.

(d) If the petitioner still feels aggrieved, it shall be open for the petitioner/appellant to take recourse to such remedies as are otherwise available in

accordance with law.

Appeal stands disposed of in the aforesaid terms.