

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No 1408 of 2013

IN

Civil Writ Jurisdiction Case No 12865 of 2013

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Monaka Das Son Of Late Bhukhal Das Resident Of Village - Bhikhampur, P.O. Tujarpur, Police Station - Khaira, District - Saran (Chapra), At Present Posted As Block Education Officer, Bhagwanpur Hat, District - Siwan

.... Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary, Human Resources Development Department, Govt. Of Bihar, Patna
2. The Director, Primary Education, Govt. Of Bihar, Patna
3. The District Magistrate, Siwan, District - Siwan (Bihar)
4. The District Education Officer, Siwan, District - Siwan (Bihar)
5. The District Programme Officer, Siwan, District - Siwan (Bihar)
6. The Superintendent of Police, Siwan, District Siwan (Bihar)
7. The Officer-In-Charge, Bhagwanpur Hat, P.S. Siwan, District Siwan (Bihar)
8. Vijay Kumar, Block Teacher, Upgraded Middle School, Sah Tola, Balahan, Anchal Bhagwanpur Hat, District Siwan (Bihar)
9. Ramkali Singh Wife Of Shri Lalan Singh Resident Of Village - Barkagaon, P.O. Barkagaon, Balhan, Police Station - Bhagwanpur Hat, District Siwan, At Present Incharge Headmistress, Upgraded Middle School, Sah Tola, Balahan Block Bhagwanpur Har, District Siwan (Bihar)

.... Respondent/s

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Appearance :

For the Appellant/s : Mr Umesh Kumar Mishra, Advocate

For the S t a t e : Mr Lalan Kumar, AC to GP 23

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CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH

And

HON'BLE JUSTICE SMT NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR JUSTICE NAVANITI PRASAD SINGH)

Date: 04-11-2015

Delay in filing the appeal is condoned.

2 IA No 7924 of 2013 stands disposed of.

3 The present appeal has been filed by Mr Monaka Das, the

then Block Education Officer against the judgment and order dated 01.08.2013 passed by this court in CWJC No 12865 of 2013.

4 In our view, no adjudicatory order has been passed adverse to the interest of the appellant. While noticing the fact, the learned Single Judge has used expression "*inasmuch as villain of piece Mr Monaka Das*".

5 In our view, it is inappropriate for the Court to use such an expression in the first place and secondly, such a finding would not be recorded without notice in person to Shri Das.

6 We, therefore, deem it fit to delete the expression "*villain of piece*". Beyond this, we see no reason to interfere with the order which does not operate in any manner against the appellant.

7 This appeal is, accordingly, disposed of.

(Navaniti Prasad Singh, J)

M.E.H./-

(Nilu Agrawal, J)

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