

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20865 of 2010

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Ravi Shankar Dubey, son of late Gauri Shankar Dubey, resident of village
Naya Mahammadpur, P.S. Koilwar, District Bhojpur

.... Petitioner

Versus

1. The State of Bihar through the Commissioner cum Secretary, Human Resources Department, Govt. of Bihar, Patna
 2. The Director Higher Education, Human Resources Department, Govt. of Bihar, Patna
 3. Bihar State Sanskrit Academy, through its Director, Krishnapuri, Patna
 4. The Director cum Secretary, Bihar State Sanskrit Academy, Patna
- Respondents
- =====

Appearance :

For the Petitioner/s : Mr. Ravindra Nath Dubey, Adv.
For the Respondent/s : Mr. Sunil Kr. Mandal Sc24

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 03-07-2015 Heard learned counsel for the parties.

Having regard to the fact that the sole petitioner is dead and this application was filed only for his promotion in Bihar Rajya Sanskrit Academy, which is not again the 'State' within Article 12 of the Constitution of India, this application in fact has to be held to be not maintainable but also becoming infructuous and abated on account of the death of the petitioner and resultant eclipse of the cause of action.

Nothing said in this order, however, shall come in the way of the wife of the deceased petitioner to pursue her remedy, which of course will not be before the High Court in view of the fact that the Bihar Rajya Sanskrit Academy is not the State within the

meaning of Article 12 of the Constitution of India.

With the aforesaid observation this application is disposed

of.

surendra/-

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(Mihir Kumar Jha, J)