

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Letters Patent Appeal No.445 of 2014**

**In**

**Civil Writ Jurisdiction Case No. 12540 of 2010**

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1. Deepak Kumar Singh S/O Late Raghav Singh R/O At And P.O. -  
Parsurampur, Tole - Narauni, P.S. - Pipra, District - East Champaran At  
Motihari

.... .... Respondent/Appellant/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Human Resources Development Department,  
Govt. of Bihar.
3. The Director, Primary Education, Govt. of Bihar, Patna.
4. The District Magistrate, East Champaran at Motihari, District - East  
Champaran at Moithari
5. The District Superintendent of Education, East Champaran at Motihari,  
District - East Champaran at Motihari
6. The Block Development Officer, Chakiya, District - East Champaran at  
Motihari
7. The Block Education Extension Officer, Chakiya, District - East  
Champaran at Motihari
8. The Mukhiya, Gram Panchayat Raj Kuerpur, Block - Chakiya, District -  
East Champaran at Motihari
9. The Panchayat Secretary, Gram Panchayat Raj Kuerpur, Block - Chakiya,  
District - East Champaran at Motihari

... ... Respondents/ Respondents 1<sup>st</sup> Set.

10. Bhushan Kumar Singh Son Of Sri Shambhu Singh R/O - Village -  
Rudal Pakari, P.O. - Parsurampur, P.S. Pipra, District - East Champaran At  
Motihari

.... .... Petitioner-Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Rajeev Kumar Singh, Advocate  
Mr. Manoj Kumar, Advocate

For the Respondent/s-State : Mr. Md. N. Hoda Khan, A.C. to S.C.18

For the respondent no.10 : Mr. S. B. K. Manglam, Advocate

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**And**

**HONOURABLE JUSTICE SMT. ANJANA MISHRA**

**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

11 24-07-2015

This appeal is directed against the common order

dated 15.04.2013 insofar as it relates to CWJC No.12540 of  
2010.

Heard learned counsel for the appellant and the

learned counsel for the respondents.

CWJC No.4646 of 2010 and CWJC No.12540 of 2010 were heard together, and through a common order dated 15.04.2013, both of them were allowed. LPA No.1304 of 2013 was preferred by respondent no.10 in CWJC No.4646 of 2010. A Division Bench of this Court allowed the appeal through its order dated 23.10.2013 and has set aside the order in the writ petition following the judgment in LPA No.555 of 2013.

Once the common order passed in two writ petitions were set aside in appeal preferred against one of the writ petitions, there is no way, that any different view can be taken where an appeal is preferred in relation to the other writ petition.

Hence, this appeal is also allowed and the common order dated 15.04.2013 insofar as it pertains to CWJC No.12540 of 2010 is set aside.

Interlocutory application, if any, shall stand disposed of. There shall be no order as to costs.

**(L. Narasimha Reddy, CJ)**

**(Anjana Mishra, J)**

Sunil/-

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