

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1792 of 2015

IN

Miscellaneous Jurisdiction Case No. 1562 of 2015

- =====
1. Birendra Kumar @ Virendra Kumar, aged 44 years, S/o Ganga Rai Resident of Village Mahua Singh Rai, P.O. + P.S. Mahua, District Vaishali.

.... Appellant/s

Versus

1. The State of Bihar through R.K. Mahajan, S/o Not known, The Principal Secretary, Department of Education, Government of Bihar, Old Secretariat, Patna.
2. Shridhar Singh, S/o Not known, Director, Primary Education, Government of Bihar, Old Secretariat, Patna.
3. Md. Harun Rashid, S/o Not known, District Education Officer, District Purnea, Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Chakrapani, Adv.
Mr. Madhuresh Singh, Adv.
Mr. Aashutosh Kumar, Adv.
Mr. Sanjay Kumar Singh, Adv.
For the Respondent/s : Mr. Ritesh Kumar, SC-33

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT AND ORDER

(Per: HONOURABLE MR. JUSTICE I. A. ANSARI)

Date: 14-03-2016

Heard Mr. Chakrapani, learned Counsel, appearing on behalf of the appellant, and Mr. Ritesh Kumar, learned Standing Counsel, appearing on behalf of the State respondents.

While disposing a writ petition, made under Article 226 of the Constitution of India, which had come to be registered as C.W.J.C. No.17899 of 2012, a learned single Judge of this Court passed, *inter alia*, following directions:

“(iii) The cases of 366 candidates again reflected in paragraph no.7(c) of the counter affidavit shown to be pending also must be decided one way or the other within the same period of three months and those found eligible should also be given letter of appointment in next one month.

(iv) In the likewise manner, the Committee also must re-consider the case of 118 candidates not earlier found fit for appointment as again explained in paragraph no.7(b) of the counter affidavit and take a final decision in respect of them within the same period of three months and those found eligible among them should also be given letter of their appointment in next one month.”

Subsequent thereto, the writ petitioner filed his writ petition, under Article 226 of the Constitution of India, claiming that he also fell within the category of candidates, who are covered by Clauses (iii) and (iv) of Para-82 of the judgment, dated 15.01.2014, aforementioned. The writ petition came to be registered as C.W.J.C. No.1707 of 2015.

In view of the fact that it has been submitted, on behalf of the respondents, that the petitioner is not covered within 366 candidates and that, as regards persons, who claim to be similarly situated, a notice has already been published inviting applications and that last date for submission of applications is 19.3.2016, and the writ petitioner, appellant herein, if he is similarly situated as those 366 candidates aforementioned, he may make his application pursuant to

the said notification.

This appeal is not pressed and shall stand disposed of as
“not pressed”.

(I.A. Ansari, ACJ)

(Anjana Mishra, J)

K.C.jha/-

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