

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2649 of 2017

In
Cr. WJC 79 of 2017

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Md. Aiyub Son of Md. Islam Resident of Village- Dhabelwa, Ward No. 4,,
Gram Panchayat Raj, Khulwania Jaralpur, P.S. Jogapatti, District- West
Champaran.

.... Petitioner

Versus

1. The State of Bihar, through the Secretary, Education Department, Bihar, Patna.
2. The District Magistrate, West Champaran at Bettiah.
3. The District Program Officer, Midday Meal Yojna, West Champaran, Bettiah.
4. The District Program Officer, Yojna and Lekha, West Champaran at Bettiah.
5. The District Education Officer, West Champaran, Bettiah.
6. The Block Development Officer, Jogapatti Block, West Champaran at Bettiah.
7. Sri Sikandar Azam Headmaster, Utkramit Madhya Vidyalaya, Dihi, Dhabelwa-1, Block and P.S. Jogapatti, District- West Champaran.
8. Md. Umar, Headmaster, Utkramit Madhya Vidyalaya, Dhabelwa-2, Block and P.S. Jogapatti, District- West Champaran.
9. Sri Kausher Neyazi, Headmaster, Madarsa, Islamia , Dihi, Dhabelwa, Block and P.S. Jogapatti, District- West Champaran.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Respondent/s : Mr. Ashutosh Ranjan Pandey - Aag 15

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 11-10-2017

Heard learned counsel for the parties.

By order dated 08.08.2017 passed in Cr.W.J.C.

No. 79 of 2017, the petitioner was directed to file requisites within ten days for sending notices on respondent Nos.7 to 9.

Submission of the learned counsel for the petitioner is that due to inadvertence requisites were filed



only for respondent Nos.7 and 9 only on 17.08.2017. However, the writ application was dismissed for non-compliance of the peremptory order dated 08.08.2017. Though the petitioner has already filed requisites for sending notice against the respondent No.8 also on 25.08.2017.

Considering the reasonable explanation for non-compliance of the order aforesaid, let the Cr.W.J.C.No.79 of 2017 be restored to its original file after setting aside the dismissal.

Accordingly, the M.J.C. application stands allowed.

The petitioner is directed to file fresh notice against all the private respondents as well as notice to the State-respondents through both the processes in the writ matter. Requisites must be filed within four weeks.

(Birendra Kumar, J)

Nitesh/-

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