

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6770 of 2011

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DILIP KUMAR, son of Surya Narain Choudhary, resident of village + P.S.-
Sonbarsa, District- Saharsa.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources Development, Government of Bihar, Patna.
2. The Director, Department of Primary Education, Government of Bihar, Patna.
3. The District Magistrate, Saharsa.
4. The District Superintendent of Education, Saharsa.
5. The Block Education Officer, Block- Banma Itahari, District- Saharsa.
6. The Block Development Officer, Banma Itahari, District- Saharsa.
7. The Mukhiya, Gram Panchayat Raj- Sahuria, Block- Banma Itahari, District- Saharsa.
8. The Panchayat Secretary, Gram Panchayat Raj- Sahuria, Block- Banma Itahari, District- Saharsa.
9. The District Teacher's Appointment Appellate Tribunal, Saharsa through its Member.
10. Bankar Paswan, S/o Late Kishori Paswan, Panchayat Teacher, Primary School, Boharba, Block- Banma Itahri, P.S.- Salkhua, District- Saharsa.
11. Gajendra Paswan, son of Shri Chandeshwari Paswan, Panchayat Teacher, Primary School, Maniya, Block- Banma Itahri, P.S.- Salkhua, District- Saharsa.
12. Wakil Paswan, Son of Late Sukkan Paswan, Panchayat Teacher, Primary School, Harijan Tola, Sahuriya, Block- Banma Itahri, P.S.- Salkhua, District- Saharsa.

.... Respondents

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Appearance :

For the Petitioner : Mr. Pramod Mishra, Advocate.

For the State : Mr. Dr. Shobha Choubey, A.C. to G.P. 19.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

11 03-07-2017 Vide order dated 18.10.2016, notices were sent afresh upon the respondent no. 10. It has been reported by the office note dated 18.04.2017 that the notices upon the respondent no. 10 has returned unserved with a report that he had left the job long time back. It has further been pointed out that the notice under



registered cover has been refused to be accepted by the said respondent no. 10.

Considering the aforesaid facts and circumstances, no fresh notice is required to be issued to respondent no. 10 since he had already left the job.

Since the petitioner has no grievance against the respondent no. 10, in the said circumstances, learned counsel for the petitioner seeks permission to withdraw the present writ application with a liberty to prefer an appeal before the State Appellate Authority challenging the order dated 24.11.2010 passed in Appeal Nos. 40/2008 and 64/2009 by the District Teachers' Employment Appellate Authority, Saharsa.

Permission is accorded.

The petitioner shall file an appeal before the State Appellate Authority within a period of thirty days from the date of the order and the same shall be disposed of within the statutory period.

With the aforesaid liberty, the present writ application is dismissed as withdrawn.

(Sudhir Singh, J)

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