

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2014 of 2017

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Alok Kumar, S/o Umesh Pd. Singh, Resident of Village - Kagari, Bujurg,
P.S. - Jandaha, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar through the Director, Primary Education, New Secretariat, Bihar, Patna.
2. The Director, Primary Education, New Secretariat, Bihar, Patna.
3. The District Appellate Tribunal, Vaishali through its Presiding Officer, Vaishali, Hajipur.
4. The Block Development Officer cum Secretary, Block Teacher's Employment Unit Sahdei Bujurg, Vaishali.
5. The Block Development Officer, Sahdei Bujurg, Vaishali.
6. The District Education Officer, Vaishali.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Mishra, Advocate

For the Respondent/s : Mr. Umesh Narayan Dubey, AC to GP-27

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

3 21-12-2017 Heard learned counsel for the petitioner and the respondents.

Vide order dated 04.12.2017, the State counsel was directed to furnish a copy of the number of appeal pending before the State Appellate Authority. Unfortunately, the State counsel has not been able to furnish the number of appeal filed in the State Appellate Authority.

Under the aforesaid circumstances, the Court is constrained to dispose of the writ application from perusal of Annexures- 1, 2 and 3, which are the orders in favour of the petitioner and if the State authority shall prefer appeal against the



decision of the District Appellate Authority, Vaishali, then mere filing of the appeal may not be treated stay of the operation of the order passed by the competent District Appellate Authority. The respondents are directed to act in accordance with the direction /decision of the District Appellate Authority, Vaishali until it is stayed by the State Appellate Authority. The benefit arising out of the order contained in Annexures- 1, 2 and 3 must reach the petitioner within a period of 30 days from the date of receipt/production of a copy of this order.

Needless to state here that the decision of the State Appellate Authority in the matter will govern the fate of the petitioner in the matter of payment of salary and other emoluments arising out of Annexures-1, 2 and 3.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

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