

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.223 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 5450 of 2010**

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Sanjeeta Kumari @ Sangeeta Kumari D/O Sri Ram Balak Choudhary R/O Village –
Chakdaul at P.S. - Ujiarpur, District - Samastipur.

.... Petitioner / Appellant

Versus

1. The State Of Bihar through Principal Secretary, Human Resource Development Department, Govt. Of Bihar, Patna
2. Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna.
3. District Magistrate, Samastipur
4. District Education Officer, Samastipur.
5. District Superintendent of Education, Samastipur.

..... Respondents of Writ Application / Respondents 1st Set.

6. Dhananjay Kuamr Mishra, Son of Sri Buddhdeo Mishra, Resident of Village Patsa, P.S- Hasanpur, District - Samastipur.
7. Prabhsh Kumar Rai Son of Late Yugeshwar Rai Resident of Village - Pachiyari Tola Tabhka, P.O - Pandit Tola Tabhak, P.S Bidhutipur, District - Samastipur.
8. Ranjeet Kumar Choudhary Son of Late Dev Narayan Choudhary Resident of Village - Garh Sisari, P.O - Soaira, P.S- Vidyapati Nagar, District - Samastipur.

.... Petitioners No. 2 to 4 of writ application / Respondents 2nd set.

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Appearance:

For the Appellant/s : Dr. Ansuman, Advocate.

For the Respondent/s : Mr. Rakesh Nayan Singh, AC to AAG 15.

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 20-06-2017

Heard counsel for the appellant and counsel for the State.

Without expressing any opinion on the correctness or otherwise of the decision dated 14.10.2014 rendered by the learned Single Judge, the Court may accede to the submission of the learned counsel representing the appellant that the respondent authorities may



be directed to reconsider the matter of the appellant with regard to appointment on regular basis on the post of a teacher keeping in mind the law which has been laid down by the Hon’ble Apex Court in the case of **Mukesh & Anr. v. State of Bihar & Ors.**, decided on 03.04.2017, a copy of which is Annexure-1 to the Supplementary Affidavit filed on behalf of the appellant.

The appellant may file an appropriate application with a copy of the order of the Hon’ble Apex Court for reconsideration of the matter and decision ought to be taken in accordance with law within a period of three months on filing of such an application.

The appeal stands disposed of in above terms.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	22.06.2017
Transmission Date	N/A

