

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.2025 of 2015

IN

Civil Writ Jurisdiction Case No. 15669 of 2006

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Mahanand Bibhu son of Late Bishwa Mohan Shukla Bibhu resident of village Pathaura, P.S. - Narpatganj, District - Araria at present Secretary of the Committee of Sita Barish Lal Middle School, Sunari Nagar, Pithaura in the district of Araria.

.... Appellant

Versus

1. The State of Bihar.
2. The Education Commissioner, Bihar, Patna.
3. The Director-cum-Secretary, Primary Education, Bihar, Patna.
4. The Special Director, Secondary Education, Bihar, Patna.
5. The Deputy Director, Primary Education, Bihar, Patna.
6. Yogannad Jha son of Late Shiva Nand Jha General Secretary, Bihar Arajkiya Prathmic Shikshak Sanghars Samittee, resident of village - Sahwazpur, P.O. - Bhadreswar via - Bathnaha, P.S. - Jogbani, District - Araria, at present residing at Purani Post Office Lane (Gole), Punaichak, Patna - 23.
7. Hardeo Mandal son of Tenai Mandal resident of village - Pithoura, P.S. - Narpatganj, District - Araria at present Secretary of the Committee of Barish Lal Middle School, Harihar Prasad, Tola Pithoura in the district of Araria.

.... Respondents

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Appearance :

For the Appellant : Mr. Sita Ram Yadav, Advocate

For the State : Mr. Sunil Kumar, AC to G.A.12

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 30-01-2017

Delay of 37 days in filing the appeal is condoned. I.A.

No.9004 of 2015 is allowed.

2. Appeal has been filed against the order dated 09.07.2015, passed in CWJC No.15669 of 2006. The learned Single Judge has dismissed the writ application on the ground that on an identical issue, another writ application was filed, which was



dismissed. The appeal against the said order, which was LPA No.565 of 2013 had also been dismissed.

3. The learned Single Judge, therefore, has rightly held that the reason and rationale emerging from the two decisions will also govern the case of the petitioners, who is appellant before this Court.

4. There is no merit in the appeal. It is dismissed.

(Ajay Kumar Tripathi, J.)

(Nilu Agrawal, J.)

S.Kumar/-

AFR/NAFR	NAFR
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