

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1049 of 2017

In
Civil Writ Jurisdiction Case No.13856 of 2016

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1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
 2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
 3. The Director, Primary Education, Government of Bihar, Patna.
 4. The District Education Officer, West Champaran at Bettiah.
 5. The District Programme Officer (Establishment), West Champaran at Bettiah.

... .. Appellant/s

Versus

1. Afzal Alam son of Late Wakil Ahmad resident of Village- Belwa, P.S.- Sathi, District- West Champaran at Bettiah.
2. The Headmaster, Minority Aided Janta Middle School, Anchal- Narkatiaganj, West Champaran at Bettiah.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Mr. Ranjan Kumar
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date : 04-05-2018

Delay of 276 days is condoned for the reasons indicated
in I.A. No. 5272 of 2017. I.A. No. 5272 of 2017 is allowed. The
matter is thereafter taken up on merits.

The order of the learned Single Judge, dated: 19.09.2016
is based on an earlier adjudication made in C.W.J.C. No. 23 of
2015 decided on 03.08.2015.



Learned counsel for the State fairly accepts the position that an appeal preferred against the said writ application before a Division Bench has also been dismissed which was L.P.A. No. 1856 of 2016 disposed off on 16.03.2017. If that is so, then the impugned order cannot be said to be erroneous.

In view of the same, the petition for stay as well as the appeal stands dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Pawan-Ragini

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
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