

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5648 of 2018

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1. Shiv Dulari Devi, Wife of Baleshwar Prasad, Resident of Village- Dalan Chapra, P.O.- Umedpur, District- Buxar.
 2. Kameshwar Ram, Son of Bhagwan Ram, Resident of Village- Sikariya, P.S.- Tiyar, District- Buxar.
 3. Najma Khatoon, Daughter of Md. Kalim Khan, Resident of Village- Balabatra, P.O.- Arrah, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. The District Education Officer, Bhojpur at Ara.
4. The District Programme Officer, Bhojpur at Ara.
5. The Block Development Officer, Shahpur, District- Bhojpur.
6. The Head Master, Upgraded Middle School Devalpur, Block- Shahpur, District- Bhojpur.
7. The Head Master, Primary School Sonki, Block- Shahpur, District- Bhojpur.
8. The Head Master, Primary School Gaura, Block- Shahpur, District- Bhojpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Respondent/s : Mr. Kameshwar Kumar- Gp17

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 16-04-2018 Learned counsel for the petitioners is permitted to make necessary correction in the pleading during the course of the day.

Heard learned counsel for the petitioners and the counsel appearing on behalf of the State.

The petitioners are aggrieved by the order dated 28.10.2017.

Learned counsel for the petitioners submits that in view of the judgment of the Apex Court in the case of Nirmala Kumari



and others vs. State of Bihar, Annexure-2 the respondents are required to pass fresh order as Annexure-2 is the settler on the point and as such the respondents are required to act in accordance with the principle laid down by the Apex Court in the case of Nirmala Kumari (Supra).

Considering the above, the writ petition is disposed of with direction to the respondents to take fresh decision in the light of the judgment of the Apex Court in the case of Nirmala Kumari (Supra) contained in Annexure-2 within a period of sixty days.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

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