

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.4749 of 2016**

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1. Umesh Baitha, son of Sri Bunda Baitha, Resident of Village- Godhwa, Police Station- Mofussil Motihari, District- East Champaran.
  2. Sanjay Baitha, son of Sri Surya Baitha, resident of Village Barwa, Police Station- Lakhaura, District- East Champaran.
  3. Bibha Raj, wife of Sri Sanjeev Kumar Razak, Resident of Village- Godhwa, Police Station- Mofussil Motihari, District- East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. The District Magistrate, East Champaran at Motihari.
4. The District Education Officer, Motihari, East Champaran.
5. The District Programme Officer (Training RMSA & Literacy), East Champaran.
6. The Regional Education Officer, Motihari Sadar Block, Motihari, East Champaran.
7. The Block Development Officer, Motihari Sadar Block, Motihari, East Champaran.
8. The Block Education Officer, Motihari Sadar Block, Motihari, East Champaran.
9. The Headmaster, Middle School Tikulia, Tikulia gram Panchayat, Motihari Sadar Block, Motihari, East Champaran.
10. The Headmaster, Middle School Bariyarpur (Mahila), Bara Bariyarpur Gram Panchayat, Motihari Sadar Block, Motihari, East Champaran.
11. The Headmaster, Primary School Godhwa (Kanya), Godhwa Gram Panchayat, Motihari Sadar Block, Motihari, East Champaran.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.  
For the Respondent/s : Mr. Kumar Manish, SC-21

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      30-10-2018

The learned counsel for the State has filed a counter affidavit. Let it be kept on record.

The learned counsel for the petitioners submits that the present writ petition has become infructuous, however, they be granted liberty to apply afresh under the new guidelines.

In view of the stand taken by the learned counsel for



the petitioners, the present writ petition is disposed of as having become infructuous.

It is needless to state that if the petitioners are eligible under the new guidelines, they have full right to apply for the post in question.

**(Mohit Kumar Shah, J)**

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