

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2248 of 2017

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1. Neeraj Kumar, son of Ramchandra Yadav, Resident of Arbanna, P.O.- Maldiha, P.S.- Barhara Kothi, District- Purnea.
 2. Krishna Kumar, son of Dinesh Yadav, Resident of Arbanna, P.O.- Maldiha, P.S.- Barhara Kothi, District- Purnea.
 3. Kaushal Kishor Kumar, son of Bhuneshwari Prasad Yadav, Resident of Arbanna, P.O.- Maldiha, P.S.- Barhara Kothi, District- Purnea.
 4. Chandra Sekhar Yadav, Son of Radheshyam Yadav, resident of Belwa Kamat, P.O.- Belwa, Via- Rani Patra, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
2. The Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
3. The District Magistrate, Katihar.
4. The District Superintendent of Education, Katihar.
5. The District Programme Officer, Katihar.
6. The Block Development Officer, Hasanganj, Katihar.
7. The Block Education Extension Officer, Hassanganj, Katihar.
8. The Prakhand Pramukh, Hasanganj, Katihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Piyush Anand, Advocate
Mr. Sanjeet Kumar, Advocate

For the Respondent/s : Mr. Arvind Kumar AC to GP-23

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 21-03-2018

Heard learned counsel for the petitioners and State.

Learned counsel for the petitioners referring to Annexures-11 and 12 submits that similar matter was adjudicated by the District Teachers Appointment Appellate Tribunal, Katihar on remand by a Co-ordinate Bench of this Court and as such the petitioners may be permitted to approach the District Teachers Appointment Appellate Tribunal for similar relief.



The order as contained in Annexures- 11 and 12 are of the year 2013. The petitioners are claiming similar treatment in their case on the ground that similar issue has been adjudicated by the District Teachers Appointment Appellate Tribunal and there is no difference in the case of these petitioners on principle adjudicated by the District Teachers Appointment Appellate Tribunal and as such learned counsel for the petitioners prays for withdrawal of the writ application in order to approach the District Teachers Appointment Appellate Tribunal.

Considering the fact that similar issue was adjudicated by the District Teachers Appointment Appellate Tribunal, in case, the petitioners file appeal, the District Teachers Appointment Appellate Tribunal will consider the case of the petitioners including the limitation in accordance with law.

With the aforesaid, the writ application is permitted to be withdrawn.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.03.2018
Transmission Date	

