

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14128 of 2014

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Tapeshwar Sah, son of late Ganga Sah, resident of village - Suarchhap, Police Station - Lauriya, District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department , Government of Bihar, Patna.
2. The Director, Secondary Education, Education Department, Govt. of Bihar, Patna.
3. The District Education Officer, West Champaran at Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bashishtha Narayan Mishra
		Mr. B K Mishra
For the Respondent/s	:	Mr. Yogendra Pd. Sinha, AAG 7
		Mr. Rajeev Kr. Sinha, AC to AAG 7

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

5 26-11-2018 The issue involved in the present writ petition is no more *res integra*. The issue of over age was considered by the Full Bench of this Court in the case of ***Project Uchch Vidyalala Shikshak Sangh vs. State of Bihar [2000 (10 PLJR 287)]***. In view of the law laid down in the said judgment, particularly the observations in paragraphs-22 and 23, the respondents are required to consider the case of the petitioner including the objection of over age.

In that view of the matter, the order as contained in Annexure-1 is quashed. The respondents are directed to take fresh decision in accordance with the principles laid down by the Full Bench in the case of ***Project Uchch Vidyalala Shikshak***



Sangh (supra). It goes without saying that all consequential benefits admissible to the petitioner shall be extended within a period of four months from the date of receipt/production of a copy of this order in terms of the aforesaid Full Bench judgment.

The writ petition stands disposed of accordingly.

(Anil Kumar Upadhyay, J)

mrl./-

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