

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1936 of 2007

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1. Kumari Punam, Daughter of Damodar Prasad Yadav, Resident of Village- Aguanpur, Police Station and District- Saharsa.
 2. Rajni Kumari, wife of Ram Awtar Yadav, Resident of Village Chikni, Sarai Gadh, Police Station Sarai Gadh, District- Supaul.
 3. Arun Paswan, Son of Janardan Paswan, resident of Village Nacuch, Police Station Maisi, District- Saharsa.
 4. Binay Kumar, Son of Yugeswar Prasad Yadav, Resident of Village Sarahi, Police Station Saharsa, District Saharsa.
 5. Rubi Kumari, Daughter of Kalanand Rai, Resident of Village Majhwa, Police Station Simri Bakhtiyarpur, District- Saharsa.
 6. Rajesh Ranjan, Son of Savendra Prasad Yadav, Resident of Village- Sihma, Police Station Hasanpur, District- Samastipur.
 7. Chandrahash Kumar, Son of Upendra Tanti, Resident of Village- Paharpur, Police station Simri, Bakhtiyarpur, District Saharsa.
 8. Baban Kumar Singh, Son of Arjun Prasad Singh, Resident of Village Kathdumar, Police Station Bakhtiyarpur, District- Saharsa.
 9. Sudhir Kumar Choudhary, Son of Magan Choudhary, Resident of Village Agar, Police Station Bakhtiyarpur, District Saharsa.
 10. Hari Shankar Kumar, Son of Shiv Ratan Kumar, Resident of Village Agar, Police Station Bakhtiyarpur, District Saharsa.
 11. Kumod Devi, Daughter of Brahmadeo Choudhary, Resident of Village Agar, Police Station Bakhtiyarpur, District Saharsa.
 12. Pawan Kumar Gupta, Son of Jhathu Sah, Resident of Village Dah, Police Station Bakhtiyarpur, District- Saharsa.
 13. Debanand Kumar, Son of Rajendra Choudhary, Resident of Village Agar, Police Station Bakhtiyarpur, District Saharsa.
 14. Shambhu Kumar Choudhary, Son of Mohan Choudhary, Resident of Village Agar, Police Station Bakhtiyarpur, District Saharsa.
 15. Gokul Kumar Bind, Son of Shyam Deo Bind, Resident of Village Agar, Police Station Bakhtiyarpur, District Saharsa.
 16. Manoj Kumar Singh, Son of Heera Prasad Singh, Resident of Village Kathdumar, Police Station Bakhtiyarpur, District- Saharsa.
 17. Govind Kumar Bind, Son of Shyamdeo Bind, Resident of Village Agar, Police Station Bakhtiyarpur, District Saharsa.
 18. Veena Kumari, Daughter of Faleswar Prasad Singh, Resident of Village Kathdumar, Police Station Bakhtiyarpur, District- Saharsa.
 19. Kumari Abha Singh, Daughter of Bipin Prasad Singh, Resident of Village Kathdumar, Police Station Bakhtiyarpur, District- Saharsa.
 20. Kumari Anupam, daughter of Ram Swaroop Yadav, Resident of Village Borba, Police Station Salkhua, District- Saharsa.
 21. Kumari Sarita, Daughter of Shyamdeo Bind, Resident of Village Baharwa, Police station- Allauli, District- Khagaria.
 22. Rekha Kumari, Daughter of Ram Bahadur Yadav, Resident of Village Tilathi, Police Station Bakhtiyarpur, District Saharsa.
 23. Jai Prabha, Daughter of Lambodar Kumar, Resident of Village Narainpur, Police Station Nawhatta, District Saharsa.
 24. Meena Mehta, Daughter of Hari Kishore Mahto, Resident of village Bakhtiyarpur, Police Station Bakhtiyarpur, District Saharsa.



25. Reena Kumari, Daughter of Shiv Shankar Mahto, Resident of Saharsa, Police Station and District Saharsa.
26. Sulochana Kumari, Daughter of Baijnath Mandal, Resident of Mohalla-Gangjaja, Police Station- Saharsa, District- Saharsa.
27. Sebat Kumari, Daughter of Ram Preet Nishad, Resident of Village Deshri, Police Station Vaishali District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Commissioner-Cum- Secretary, Human Resources Development Department, Bihar, Patna.
3. The District Magistrate, Saharsa.
4. The District Education Officer, Saharsa.
5. The District Education Superintendent -cum- District Programme, Sarva Shiksha, Avyan, Saharsa, District- Saharsa.
6. The Area Education Deputy Director, Kosi Division, Saharsa, District- Saharsa.
7. The Block Development Officer, Simri, Bakhtiyarpur, P.S. Simri, Bakhtiyarpur, District Saharsa.
8. The Block Education Extension Officer, Simri Bakhtiyarpur, Police Station Simri Bakhtiyarpur, District - Saharsa.
9. The Panchayat Secretary, Gram Panchayat, Paharpur, District Saharsa.
10. The Panchayat Secretary, Kathdumar Panchayat, District- Saharsa.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh, Advocate
For the Respondent/s : Mr. (SC23)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT
Date: 12-07-2018

This writ application is pending since 2008.

2. Earlier on account of non-prosecution, the writ application was dismissed on 01.09.2010. However, the writ application has been restored pursuant to the order dated 19.08.2017 passed in M.J.C. No. 5135 of 2010. The matter was posted for admission on different dates.

3. Yesterday, no one appeared on behalf of the



petitioners. Thereafter, the case was posted under the heading “For Dismissal” in order to provide one more opportunity to the counsel for the petitioners to assist the Court.

4. The present writ application has been filed for quashing of the order dated 09.12.2006, whereby all the Block Development Officers of the district Saharsa were directed to prepare fresh merit list of Panchayat Teachers.

5. From the order-sheet, it appears that there is no interim order, in view of the above, this Court has reason to believe that the present writ application has lost its utility, as the order dated 09.12.2006 for preparation of fresh merit list in the absence of any stay order must have been acted by the respondents.

6. In the totality of the facts situation, this Court does not find any merit at this stage to interfere with the order dated 09.12.2006, as contained in Annexure-10. The writ application is, accordingly, dismissed.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.07.2018
Transmission Date	

