

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11287 of 2016

=====

1. Harish Kumar son of late Sheo Kumar Singh @ Shiv Kumar Singh, resident of Mohalla- Chitragupt Nagar, Teacher Colony, Kankarbag, Post office- Lohiya Nagar, Police Station-Patrakrnagar, District-Patna. Present posting-Uttkramit Madhya Vidhyala, Azimchak, Block -Sampatchak, Police Station- Sonagopalpur, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Human Resources Department, Govt. of Bihar, Patna
3. The Director, Primary Education Department, Govt. of Bihar, Patna
4. The Director Education Officer, Patna
5. The Director Programme Officer, (Establishment), Patna
6. The District Programme officer cum Sarv Shiksha Abhiyan, Patna
7. The Block Education officer, Daniyawan
8. The Block Education Officer, Mokama cum Enquiry Officer,
9. The Blocik Education officer Fatuha cum Departmental Officer,
10. The Block Education Officer , Barh , Patna

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Respondent/s : Mr. Kinkar Kumar, SC-9

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 24-04-2018

Heard.

Counsel for the petitioner seeks permission to withdraw this writ application in view of the fact that his appeal was rejected merely on the ground that CWJC No. 11287 of 2016 is pending in this court.

Counsel for the petitioner submits that the writ application may be disposed of with liberty to the petitioner to file representation for rehearing the case as the appeal was not decided



on merit but only on the ground that the writ petition was pending.

In view of the above, this writ application is disposed of with liberty to the petitioner to file representation along with copy of this order before the Regional Deputy Director (Education), Patna Division for re-hearing the appeal on its own merit within a period of one month from the date of receipt/production of copy of the order. In case, the petitioner files the petition along with copy of this order, the appellate authority will decide the appeal on its own merit notwithstanding the fact that earlier by the order passed by the Regional Deputy Director (Education), Patna Division as contained in Memo No. 523 dated 13-04-2018, the appeal of the petitioner has been rejected. The Regional Deputy Director (Education), Patna Division is directed to decide the appeal expeditiously, preferably within a period of three months from the date of filing of the representation by the petitioner. In the event, the representation is filed by the petitioner, the Regional Deputy Director (Education), Patna Division will decide the same in accordance with law.

With the aforesaid, this writ petition is disposed of.

(Anil Kumar Upadhyay, J)

A.K.V./-

U			
---	--	--	--

