

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.345 of 2015

In

Civil Writ Jurisdiction Case No. 10111 of 2011

- =====
1. The State Of Bihar through Principal Secretary , Human Resources Development Department , Govt. of Bihar , Patna.
 2. The Director, Secondary Education, Human Resources Development Department, Govt. of Bihar, Patna.
 3. The District Superintendent of Education, Aurangabad.
 4. The District Education Officer, Aurangabad

.... Appellants

Versus

- 1(a). Smt. Chulmati Devi, W/o Late Dudheshwar Singh
 - 1(b) Shri Udai Kumar Singh, S/o Late Dudheshwar Singh
- Both are R/o Village - Tetariya , P.S. - Kashipur , P.S. - Barauli , District - Aurangabad .
2. The Accountant General Bihar, Patna
 3. The Senior Accounts Officer , Office of Accountant General , Bihar, Patna.

.... Respondents

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Appearance :

For the Appellant/s : Mr. Alok Kumar Rahi

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

8 29-10-2018

Perused the office note.

By virtue of dismissal of this appeal as against the legal heirs of the deceased writ petitioner, who is respondent no.1 herein, this appeal has become incompetent as it cannot proceed in absence of the writ petitioner or his legal heirs.

Apparently the order passed by this Court on 30.10.2017 has yet not been complied though a period of almost a year has passed. Surprisingly even the subsequent order dated 7.12.2017



requiring the State to take steps has not resulted in positive.

The situation is that this appeal has become incompetent by its dismissal against the legal heirs of the writ petitioner and in such situation, the writ petition is dismissed as having rendered incompetent, subject to steps being taken by the appellants in this regard.

(Jyoti Saran, J)

(Nilu Agrawal, J)

Surendra/-

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