

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.502 of 2016

In

Civil Writ Jurisdiction Case No. 511 of 2014

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1. Rajeev Kumar Tiwari son of Santeshwar Nath Tiwari resident of village - Pipra, P.O. Mustafabad, Police Station - Goreyakothi, District - Siwan, presently posted as assistant teacher, Middle School Srinagar, Anchal - Siwan Sadar, District - Siwan.
 2. Pradeep Kumar Ram son of late Rajeshwar Harizan resident of village - Dhebar, P.O. Pakwaliya, Police Station - Daraunda, District - Siwan, presently posted as assistant teacher, Middle School Panchrukhi, Anchal Pachrukhi, District - Siwan.

.... Appellants

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The District Magistrate, Siwan.
5. The District Magistrate, Gopalganj.
6. The District Magistrate, East Champaran.
7. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
8. The Regional Deputy Director of Education, Saran Division, Chapra.
9. The District Education Officer, Siwan.
10. The District Education Officer, Gopalganj.
11. The District Education Officer, East Champaran.
12. The District Programme Officer, Establishment, Siwan.
13. The District Programme Officer, Establishment, Gopalganj.
14. The District Programme Officer, Establishment, East Champaran.
15. Ajay Prakash Prasad son of Sri Gopalji Prasad resident of Rajendra Nagar, P.S. Siwan, District Siwan, presently posted as assistant teacher Primary School Narayanpur in Panchrukhi Block District Siwan.
16. Vikash Kumar Dixit son of Mukundhar Dixit resident of village - Kilpur, P.O. Kabirpur, P.S. Mairwa, District - Siwan, presently posted as assistant teacher Government Middle School Karom, Darauli, Siwan.
17. Shadab Kashim son of late Nizamuddin Kashi resident of mohalla - Maulana Majharul Haq Colony, P.O. Siwan, P.S. Siwan, District Siwan, presently posted as assistant teacher upgraded middle school Tengra, Hussainganj, Siwan.
18. Kashif Israr son of late Arshad Ali resident of village Mangru Chapra, P.O. Chamanpura, P.S. Baikunthpur, District - Gopalganj, presently posted as assistant teacher upgraded middle school Madarpur Maktab, Lakdi Naviganj, District - Siwan.
19. Md. Jahangir Alam @ Md. Jahagari son of late Abdul Kayum Manshuri resident of village - Lakhanpura, P.O. Kishunura, P.S. Basantpur, District - Siwan, presently posted as assistant teacher, upgraded middle school Madarpur, Maktab, Lakdi Naviganj, Siwan.
20. Divya Pandey daughter of Vinay Bihari Pandey resident of village - Nayi Basti Mahadeva, P.O. Siwan, District - Siwan, presently posted as



assistant teacher, primary school Police Line, Siwan.

21. Paramhans Mishra son of late Sharda Mishra resident of village - Divawalia, P.S. Raghunathpur, District Siwan, presently posted as assistant teacher, primary school Bharwaliya, Sishwan, Siwan.

22. Sashikala Kumari daughter of Raghunath Rai Diwakar resident of village - Saraiya Chayanpatti, P.O. Saraiya, P.S. Paharpur, District East Champaran, presently posted as assistant teacher, middle school Pakri, Panchrukhi, Siwan.

23. Santosh Kumar son of late Shail Kumari resident of village - Barharia, P.O. Barharia, District - Siwan, presently posted as assistant teacher, Government primary girls school Hardiyan, Barharia, Siwan.

24. Mukul Kumar Singh son of late Punyadev Singh resident of village - Khulasha, P.O. Madhopur, P.S. Goriakothi, District Siwan, presently posted as assistant teacher, upgraded middle school Gharthwalia, Panchrukhi, Siwan.

25. Sanjeev Kumar Singh son of late Parshuram Singh resident of village - Chitpur, P.O. Gegaur, P.S. Andar, District - Siwan, presently posted as assistant teacher, Madhya Vidyalaya Faridpur, Hussainganj, Siwan.

26. Niraj Kumar Ojha son of late Sardar Nand Ojha resident of village - Gamhariya, P.O. Gamhariya, P.S. Panchrukhi, District - Siwan, presently posted as assistant teacher, Government middle School, Shakra Khamauri, Maharajganj, Siwan.

27. Sahnawaj Ahmad son of late Jainuddin Ansari resident of village - Hardobara, P.O. Babhanpara, P.S. Barhariya, District - Siwan, presently posted as assistant teacher, primary school Ahirni, Barhariya, Siwan.

28. Harendra Prasad son of late Bundi Lal Prasad resident of village - Hata Mathia, P.O. Mateya, P.S. Kuchaykot, District - Gopalganj, presently posted as assistant teacher, upgraded middle school Malik Tola, Barhariya, Siwan.

29. Amod Kumar son of late Brajnandan Singh resident of village - Lakhnaur, Panchpatiya, P.O. Kuhla, P.S. Baranli, District - Gopalganj, presently posted as assistant teacher, Government Primary School Mananpura, Barhariya, Siwan.

30. Dinesh Kumar son of late Shyam Nandan Prasad Singh resident of village - Sadarpur, P.O. Sadarpur, P.S. Barhariya, District - Siwan, presently posted as assistant teacher, upgraded middle school Malik Tola, Barhariya, Siwan.

31. Manoj Kumar Thakur son of late Moti Lal Thakur resident of village - Tandwa, P.O. Udant Rai Ke Bangara, P.S. Manjhagadh, District - Gopalganj, presently posted as assistant teacher, upgraded middle school Barhariya, Siwan.

32. Suman Kumar Singh son of late Veer Bahadur Singh resident of village - Duayen, P.O. Khedayan, P.S. Andar, District - Siwan, presently posted as assistant teacher, upgraded middle school Makshuda, Andar, Siwan.

33. Tej Bahadur Singh son of Jagarnath Singh resident of village & P.O. Gauri, P.S. Darauli, District - Siwan, presently posted as assistant teacher, upgraded middle school Supauli, Panchrukhi, Siwan.

34. Kamlesh Kumar son of Rajballabh Prasad resident of village - Ushri, P.O. Tarwara, P.S. Maharajganj, District - Siwan, presently posted as assistant teacher, middle school Navranga, Panchrukhi, Siwan.

35. Arbind Kumar Tiwari son of Wed Vyash Tiwari resident of village - Hussainganj, P.O. Hussainganj, P.S. Hussainganj, District - Siwan,



presently posted as assistant teacher, Government middle school Bangra, Ujjain Andar, District Siwan.

36. Sushil Kumar Singh son of late Parash Nath Singh resident of village - Harihansh, P.S. Hussainganj, District - Siwan, presently posted as assistant teacher, Government middle school Bangra, Ujjain, Andar, Siwan.

.... Respondents

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Appearance :

For the Appellant/s : Mr. Umesh Kumar Mishra, Adv.

For the Respondent/s : Mr. Nadeem Seraj, GP 20

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

and

**HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

5 29-08-2018

Re: I.A. No. 2129 of 2016

This interlocutory application is filed for condonation of delay of 139 days in filing the appeal.

It is stated by the two appellants that though the order was passed by the learned Single Judge on 19.01.2015 but they got information about the disposal only on 04.07.2015 whereafter they contacted their Lawyer and filed the appeal immediately on 08.07.2015 which has caused some delay.

Having considered the explanation so given and having heard learned Counsel for the parties, we condone the delay of 139 days.

I.A. No. 2129 of 2016 is accordingly allowed.

Re: L.P.A. No. 502 of 2016

After some arguments Mr. Umesh Kumar Mishra,



learned Counsel for the appellants prays for withdrawal of the appeal which is accordingly dismissed as withdrawn.

(Jyoti Saran, J)

(Chakradhari Sharan Singh, J)

Archana/Surendra

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