

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3719 of 2019

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Ashok Pathak Son of Late Mahesh Pathak Resident of A/ 103 Bimla Tower
Hanuman Nagar, New Punaichak, P.S.- Lal Bahadur Shastri Nagar District-
Patna

... .. Petitioner/s

Versus

1. Bihar School Examination Board Patna through its Secretary
2. The Chairman, Bihar School Examination Board, Patna
3. Secretary, Bihar School Examination Board, Patna
4. The Principal Secretary, Human Resources Development Department,
Government of Bihar, Patna
5. The Director Secondary Education, Government of Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Binodanand Mishra, Advocate
For the Respondents	:	Mr. Sayabir Bharti, Advocate Mr. Gyan Shankar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 27-02-2019

Heard Mr. Binodanand Mishra, the learned
counsel for the petitioner and the learned counsel for the
State.

2. The present writ petition has been filed
seeking quashing of the order dated 12.09.2012 contained
in Memo No. 854 whereby the petitioner has been reverted
to the post of Routine Clerk from the post of Section
Officer, which was held by him for more than two decades
and with a further prayer of adjusting/absorbing him in the
service of Bihar School Examination Board, Patna.

3. Mr. Mishra, learned counsel for the petitioner
has informed this Court that the case of the petitioner is



squarely covered by the Division Bench judgment of this Court passed in L.P.A. No. 658 of 2013 (Bihar School Examination Board, Patna through its Secretary and Others vs. Abhay Nath Jha and Others).

4. If that be so, the petitioner also deserves to be given the same concession/benefit.

5. Under the aforesaid circumstances the concerned respondent shall look into the facts of the case of the petitioner and if his case is covered with the judgment passed in L.P.A. No. 658 of 2013, similar treatment would be given to the petitioner also. The necessary/sequel order in case in the event of the case of the petitioner being found to be similar to that of the respondents Abhay Nath Jha and Others in L.P.A. No. 658 of 2013 shall be passed within a period of three months from the date of receipt/production of a copy of this order.

6. With the aforesaid direction/observation, the writ petition is disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.03.2019
Transmission Date	

