

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No. 3220 of 2017

Arising out of

Civil Writ Jurisdiction Case No. 10698 of 2013

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Prem Kumar Shukla, Son of Sri Sachidanand Shukla, Resident of Village-Jitwarpur, P.S. Dariyapur (present Derni), District- Saran at Chapra, at present posted as Assistant Teacher, Rajkiya Buniyadi Vidyalaya, Mastichak, District-Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Namely R. K. Mahajan, Department of Education, Government of Bihar, Patna.
2. Sushil Kumar, the Director/ Director (Administration), Department of Education, Government of Bihar, Patna.
3. Ramayan Ram, the Regional Deputy Director, Education, Saran Division, Chapra, Government of Bihar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amaresh Kumar Sinha, Advocate
For the State : Mr. Rakesh Narayan Singh, AC to AAG 15

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 04-09-2019

Heard learned counsel for the petitioner and learned AC
to AAG 15 for the State.

2. The petitioner has moved the Court alleging non
compliance of order dated 05.11.2014 passed in CWJC No. 10698
of 2013.

3. The writ petition was disposed off in the same terms
and directions as issued by the Court in CWJC No. 1863 of 2012
dated 11.03.2014.



4. The Court was informed that the Division Bench in LPA No. 964 of 2018, by common order dated 12.07.2019, has ordered that the departmental proceeding against the petitioner shall proceed from the stage of 2nd show cause.

5. In the aforesaid view, the order of the Court in CWJC No. 10698 of 2013 also, as a consequence, stands modified to that extent.

6. Accordingly, now the authorities are required to act in terms of the order passed in LPA No. 964 of 2018.

7. Thus, the present application, for all practical purposes, having become infructuous, stands disposed off.

8. It goes without saying that it shall be open to the petitioner to move before the appropriate forum, in accordance with law, if any direction issued in the said Letters Patent Appeal is not complied with by the authorities.

(Ahsanuddin Amanullah, J.)

P. Kumar

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