

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.16400 of 2019**

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Vijay Kumar, Son of Jaisidhari Sah, Resident of Village Bathuara, P.S.- Bela,  
Dist.- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Primary Education Service, Bihar, Patna.
2. The District Officer cum Chairman Compassionate Committee, Sitamarhi, Dist.- Sitamarhi, Established Branch, Sitamarhi.
3. The Commissioner cum Secretary Primary Education, Tirhut Commissioner, Bihar.
4. The Director, Primary education Service, Bihar, Patna.
5. The Regional Deputy Director Education Service, Bihar, Patna.
6. The District Superintendent of Education Service, Sitamarhi, Dist.- Sitamarhi.

... .. Respondent/s

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**Appearance :**

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|----------------------|---|---------------------------------------------------------|
| For the Petitioner/s | : | Mr. S. P. Paras, Advocate<br>Mr. Sanjay Kumar, Advocate |
| For the Respondent/s | : | Mr. Vivek Anand Amritesh, AC to SC-28                   |

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2      14-08-2019                      Heard learned counsel for the petitioner and the respondents.

The issue raised in the present writ application is no more *res integra*. The Apex Court has occasion to decide the similar issue in the case of **Mukesh & Ano. Vs. The State of Bihar & Ors.**, reported in **(2017) 5 SCC 383** and recently in the case of **State of Bihar & Ors. Vs. Dilip Kumar & Ano**, (Civil Appeal No.5208 of 2019) dated 18.07.2019.

Considering the aforesaid, the writ application is



disposed of with a direction to the respondents to consider the case of the petitioner in the light of judgment of the Apex Court in the case of **Mukesh & Ano.** (supra) as well as order passed in **Civil Appeal No.5208 of 2019** and pass appropriate order at the earliest preferably within a period of 60 days from the date of receipt/production of a copy of this order.

**(Anil Kumar Upadhyay, J)**

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