

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3701 of 2017

In
Letters Patent Appeal No.1574 of 2016

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1. Sunita Kumari and Ors Wife of Vidya Thakur resident of village- Jhamatiya, Post and Police Station- Bachhwara, District- Begusarai. Panchayat Teacher, Government Primary School Narepur Chatti, Bachhwara, Begusarai
 2. Veena Kumari Wife of Dilip Kumar resident of village Post- Ahmadpur, Police Station- Sarairanjan, District- Samastipur. Panchayat Teacher Upgraded Middle School, Ahmedpur, Sarairanjan, Samastipur
 3. Veena Devi Daughter of Sri Nageshwar Chaudhary Wife of Shri Vijay Kumar Pandey Vill Post- Chaita North, P.S.- Angar Ghat, Dist.- Samastipur. Panchayat Teacher, Govt. Upgraded Middle School, Chaita, Sangama Ujiarpur, Samastipur
 4. Abhay Kumar Sharma Son of Sri Rajendra Prasad Sharma Resident of Village and Post- Dhrubgama, P.S.- Kalyanpur, District- Samastipur, Panchayat Teacher, Government Upgraded Middle School, Mirzapur, Kalyanpur, Samastipur
 5. Nirbhay Kumar Mishra Son of Late Kapildeo Mishra Village- Basuara, Post- Araila, Police Station- Moro, District- Darbhanga, Panchayat Teacher, New Primary School, Baraura Harijantol, Araila, Hanuman Nagar, Darbhanga.
 6. Vidyanand Singh S/o Late Mrigendra Prasad Singh Village- Bakarpur, P.S.- Bangara, District- Samastipur, Panchayat Teacher, Govt. Primary School, Mushartol, Ward No. 1, Manpura, Tajpur, Samastipur
 7. Md. Iltaf Raza Son of Md. Sayeed Village- Azizpur Chande Musapur, Post- Azizpur Chande Police Station- Patepur, District- Vaishali Panchayat Teacher, New Primary School Nareshpur, Azizpur, Chande, Patepur, Vaishali.
 8. Vinod Kumar Singh Son of Sri Raj Narayan Singh Village- Rajwada, Post- Chakpahad, Police Station- Tazpur, District- Samastipur Panchayat Teacher, New Primary School, Bichala Tola, Maharti Dharamchand, Patepur, Vaishali.
 9. Tabassum Ara Daughter of Manzar Alam resident of village- Chaknoor, P.S.- Samastipur, District- Samastipur, Govt. New Primary School, Chaknoor, Ward No. 7, Samastipur.
 10. Nasim Ahmad Son of Safiurirrahman Resident of Village- Husainabad, Post- Araila, Police Station- Basuara, District- Darbhanga, Rajkiya Upgraded Middle School, Ratanpura, District- Darbhanga
 11. Anzar Shakil, son of Abulais Rizwi, resident of Husainabad, Post- Araila, Police Station- Moro, District- Darbhanga Panchayat Teacher, Govt. Primary School Araila, District- Darbhanga
 12. Nasima Parwin, W/o Mod. Ibahi Rizwi, resident of Village Post- Mathurapur, Police Station- Waris Nagar, Dist.- Samastipur, Panchayat Teacher, Rajkiya Middle Maktab, Ram Nagar, District- Samastipur
 13. Madhuri Kumari, Daughter of Krishna Chandra Mishra, Wife of Shailendra Kumar Chaudhary, Village- Ghogharaha, Post- Belsandi, Police Station-



- Kalyanpur, District- Samastipur, Panchayat Teacher Govt. Upgraded Middle School, Yadav Tola, Warisnagar, Samastipur
14. Pramila Kumari, Daughter of late Maiya Prasad Thakur, Resident of Village- Muktapur, P.S.- Kalyanpur, District- Samastipur, Panchayat Teacher Govt. Primary School, Basudeopur, Harijan, Kalyanpur, Samastipur
 15. Anju Kumari Daughter of Sri Nand Kishore Thakur, Wife of Sri Vijay Kumar Sharma, resident of village- Bibhutinagar Banchar Police Station- Patepur, District- Vaishali, Panchayat Teacher Government Upgraded Middle School, Musapur, Azizpurk, Chandey, Patepur, Vaishali
 16. Pramod Kumari, Daughter of Nunu Lal Mahto, Village- Bariyarpur West, Police Station- Khodawandpur, District- Begusarai Panchayat Teacher, Upgraded Middle School Bariyarpur East, Block- Khodawantpur, District- Begusarai
 17. Md. Akhlaque, son of Late Md. Ilias, resident of village- Nuriallahpur, P.S.- Khodawandpur, District- Begusarai, New Srijit Primary School, Tara West Tola, Tara Bariyarpur, Khodawandpur District- Begusarai
 18. Ajit Kumar, Son of Late Rameshwar Mahto, Resident of village- Rosara, P.S.- Rosara, District- Samastipur, Panchayat Teacher, Middle School Chakki Dhab, West, Block- Rosara, District- Samastipur
 19. Ram Lala Mahto, Son of Late Ram Badan Mahto, Resident of Village- Tara, Police Station- Khodawantpur, District- Begusarai, Panchayat Teacher Naveen Primary School Dastola, Matihani, Khodawantpur, District- Begusarai
 20. Saque Imam, S/o Late Md. Ali, resident of village- Gobindpur, P.S.- Rosara, District- Samastipur, Panchayat Teacher, Primary School Maktab Mabbi, Block- Rosara, District- Samastipur
 21. Md. Iftexhar Ahamn S/o Late Md. Hasib resident of village- Gobindpur, P.S.- Rosara, District- Samastipur, Panchayat Teacher, Upgraded Middle School, Khaira, Block- Rosara, District- Samastipur
 22. Arvind Kumar Chaudhary, Son of Sri Suraj Chaudhary, resident of village- Sakrauli, P.S.- Cheriya Bariyarpur, Distt.- Begusarai, Panchayat Teacher Upgraded Middle School Gadhsayal Sakarbasa, Block- Cheriya Bariyarpur, Dist- Begusarai
 23. Sami Ahmad, son of Yaar Mohammad, Resident of Nurullahpur, P.S.- Khodawandpur, District- Begusarai, Panchayat Teacher Naveen Primary School East Tola Nurullahpur, Block- Khodawantpur, District- Begusarai
 24. Yashwant Kumar, son of Sri Ram Kripal Yadav, resident of village- Kumbhi, P.s.- Cheriya Bariyarpur, District- Begusarai, Panchayat Teacher, Primary School Sonvarsa, Kumbhi Block- Cheriya Bariyarpur, District- Begusarai
 25. Ashok Kumar, son of Late Sajjan Yadav, Resident of Village- Masuraj, P.S.- Khodawandpur, District- Begusarai, Panchayat Teacher, Primary School Jayanti Gram Karim Tol, Muzaffarpur, Birpur, District- Begusarai
 26. Md. Rustam Ali, Son of Md. Yasin, Resident of Village- Mohiddinpur, P.S.- Hasanpur, Distt.- Samastipur, Panchayat Teacher, Upgraded Middle School, Mohiddinpur, Block- Hasanpur, District- Samastipur
 27. Md. Satar Ansari, son of Late Md. Hussain, resident of Village-



- Mohiddinpur, P.S.- Hasanpur, Distt.- Samastipur, Panchayat Teacher, Govt. Upgraded Middle School, Mohiuddinpur, Nayanagar, Block- Hasanpur, District- Samastipur
28. Md. Taslim, S/o Md. Yusuf, resident of village- Saunt, P.S.- Khodawantpur, District- Begusarai, Panchayat Teacher, Govt. Primary School, Sakh Mohan, Teli Tol, Block- Vibhutipur, District- Samastipur
 29. Md. Ishtiaque, Son of Md. Ishhaque, resident of village- Miltola Jalkaura, P.S.- Khagaria, District- Khagaria, Prakhand Block Teacher, Middle School Jalkaura, Block- Khagaria, District- Khagaria
 30. Mahendra Singh, Son of Late Narayan Singh, resident of village and Post- Sakhmohan, Police Station- Vibhutipur, District- Samastipur, Panchayat Teacher Govt. Primary School, Narhan, Bibhutipur District- Samastipur
 31. Sambhunath Son of Sri Ram Krishna Jha, resident of village and Post- Har Prasad, Police Station- Jandaha, District- Vaishali, Panchayat Teacher Govt. Primary School, Har Prasad East Marai, Jandaha Vaishali
 32. Sudama Devi, Daughter of Late Jageshwar Singh, Resident of village- Chakfateh, P.S.- Mahua, District- Vaishali, Panchayat Teacher, Govt. Primary School, Vishunpur, Madhaul, Mahua, Vaishali
 33. Mahesh Kumar Mishra, Son of Late Ram Shobhit Mishra, Resident of village- Basuara, Police Station- Moro, District- Darbhanga, Panchayat Teacher, New Primary School Harpur Harijan Singhwara, Darbhanga

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Govt. of Bihar, Old Secretariat, Patna.
2. The Principal Secretary, Human Resources Development Department, Government of Bihar, Bikas Bhawan, New Secretariat, Bihar, Patna
3. The Director, Primary Education, Human Resources Development Department, Government of Bihar, Bikas Bhawan, New Secretariat, Bihar, Patna
4. The Director, Research and Training, Government of Bihar, Bikas Bhawan, New Secretariat, Patna.
5. The District Magistrate, Samastipur
6. The District Education Officer, Samastipur
7. The District Superintendent of Education, Samastipur.
8. The District Magistrate, Begusarai
9. The District Education Officer, Begusarai.
10. The District Superintendent of Education, Begusarai
11. The District Magistrate, Darbhanga
12. The District Education Officer, Darbhanga
13. The District Superintendent of Education, Darbhanga.
14. The District Magistrate, Khagaria



15. The District Education Officer, Khagaria
16. The District Superintendent of Education, Khagaria
17. The District Magistrate, Vaishali.
18. The District Education Officer, Vaishali
19. The District Superintendent of Education, Vaishali.
20. The Bihar School Examination Board, Sinha Library Road, Patna through its Secretary.
21. The Secretary, Bihar School Examination Board, Sinha Library Road, Patna.
22. The Arajkiya Ismail Karim Primary Teacher Training College, Chaknoor, Rahmatpur, Samastipur, through its Secretary
23. The Secretary, Arajkiya Ismail Karim Primary Teacher Training College, Chaknoor, Rahmatpur, Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umeshanand Pandit,
For the Opposite Party/s : Mr.Ashutosh Ranjan Pandey - AAG 15

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
and
HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE VIKASH JAIN)
Date : 13-03-2019

This application has been filed for restoration of LPA No. 1574 of 2016 which stood dismissed for non-compliance of the peremptory order dated 01.12.2016 requiring the appellants to remove the defects.

2. For the reasons stated para 4 of the restoration petition MJC No. 3701 of 2017 is allowed and LPA No. 1574 of 2016 is restored to its original file.

3. MJC No. 3701 of 2017 stands disposed of.

4. As prayed, learned counsel for the petitioners is granted two weeks's time to remove the defects as pointed out



by the stamp reporter in LPA No. 1574 of 2016.

(Vikash Jain, J)

(Anjana Mishra, J)

Chandran/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	16.03.2019
Transmission Date	N.A.

