

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2620 of 2018

In
Civil Writ Jurisdiction Case No.11174 of 2016

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1. Sudha Srivastava daughter of Shri Bishwa Chand Prasad Srivastava, wife of Shri Amit Kumar resident of Village- Siwan, P.O.- Siwan, Police Station- Siwan Town, District- Siwan.
 2. Shatrughna Sinha son of Krishnanand Prasad resident of Village Majhwaliya, P.O. Chakra, Police Station- Siwan Muffasil, District- Siwan.
 3. Basant Kumar son of Ajeet Prasad Gupta resident of Village- Fatehpur, P.O. and Police Station- Siwan, District- Siwan.
 4. Saurabh Naveen son of Sobodh Prasad Srivastava resident of Village Nawapali, P.O. Chakra, Police Station Siwan Muffasil, District- Siwan.
 5. Priti Rani Wife of Shatrughna Sinha resident of Village- Majhawaliya, P.O. Chakra, Police Station- Siwan Muffasil, District- Siwan.
 6. Manoj Kumar Srivastava son of Rashik Bihari Srivastava resident of Village- Sahpur, P.O. Sahpur, Police Station Nautan, District- Siwan.
 7. Punit Kumar son of Krishnanand Srivastava resident of Village Majhawaiya, P.O. Chakra, Police Station- Siwan Muffasil, District- Siwan.
 8. Acchay Lal Yadav son of Baijnath Yadav resident of Village- Harihans, P.O. Harihans, Police Station- Hussainganj, District- Siwan.
 9. Shiv Kumar Son of Amerika Ram resident of Village and P.O. Hathaura, Police Station- Hussainganj, District- Siwan.
 10. Amarendra Kumar Son of Shri Rajendra Chaudhary resident of Village- Bhagwan Tola, P.O. Balesara, Police Station- Uchakagaon, District- Gopalganj.
 11. Raj Shree son of Shri Arun Gupta, wife of Shri Tuntun Prasad resident of Village- Pipra, P.O. and Police Station- Daraunda, District Siwan.
 12. Bishambhar Yadav son of Shri Dhaneshwar Yadav resident of Village Harpur, Police Station- Raghunathpur, District- Siwan.
 13. Ashok Kumar Ram son of Baleshwar Ram resident of Village- Suruhuri Dih, P.O. Telkathu, Police Station- M.H. Nagar (Hasanpura), District Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Education Department, Government Of Bihar, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. The District Magistrate, Siwan.
4. The District Education Officer, Siwan.
5. The District Programme Officer (Establishment), Siwan.
6. The Prakhand Pramukh, Hussainganj Prakhand, District Siwan.
7. The Block Development Officer, Hussainganj Block, District Siwan.



8. The Block Education Officer, Hussainganj, District Siwan.
9. The Presiding Officer, District Teachers Employment Appellate Authority, Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate
For the State : Mr. Shashi Shankar Tiwary, A.C. to A.A.G.-13

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

Date : 17-08-2022

Heard Mr. Umesh Kumar Mishra, learned counsel for the petitioners and Mr. Shashi Shekhar Tiwary, learned A.C. to A.A.G.13 for the State.

2. The present application has been filed seeking modification of the order dated 09.10.2017 passed in C.W.J.C. No. 11174 of 2016.

3. Learned counsel for the petitioners submitted that by order dated 09.10.2017 passed in C.W.J.C. No. 11174 of 2016, liberty was given to the petitioners to file appeal before the District Teachers Employment Appellate Authority, Siwan within four weeks from the date of passing of the order with further direction that if the same is done within four weeks it shall be considered and disposed of on merits expeditiously and within the statutory period. It was submitted due to communication gap, the said order could not be known to the petitioners and they came to know it



after about after eight weeks and thereafter steps were taken to file the present petition as the time for moving before the District Teachers Employment Appellate Authority, Siwan had already elapsed. Thus, it was prayed that the time of four weeks be extended.

4. From perusal of the record, it transpires that though the petitioners claim to be aware of the order after about eight weeks from 09.10.2017 i.e., sometime in December, 2017, but the present petition has been filed only on 19.07.2018 i.e., after seven months even upon coming to know of the order. Thus, such conduct does not persuade the Court to grant indulgence.

5. For reasons aforesaid, the present petition stands dismissed.

(Ahsanuddin Amanullah, J)

Ranjeet/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

