

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2552 of 2021

1. Sumesh Kumar, aged about 35 years, Male Son of Ramashish Sah, Resident of Village and P.O. and P.S.- Lakhaura, District- East Champaran.
2. Sheopujan Kumar Mahto, aged about 35 years, Gender-Male, Son of Late Bachhu Mahto, Resident of Village and P.O.- Kanchhedwa, P.S.- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The District Education Officer, East Champaran, Motihari.
4. The Deputy Development Officer cum Champaran, District Education Establishment Committee, East Champaran, Motihari.
5. The District Programme Officer, East Champaran, Motihari.
6. The Block Development Officer, Sangrampur, District- East Champaran, Motihari.
7. The Block Education Extension Officer, Sangrampur, District- East Champaran, Motihari.
8. The Mukhiya, Gram Panchayat Raj, Barwa, Sangrampur, District- East Champaran, Motihari.
9. The Panchayat Secretary, Gram Panchayat Raj, Barwa, Sangrampur, District- East Champaran, Motihari.
10. The District Teacher Employment Appellate Authority, East Champaran, Motihari.
11. Balram Prasad Son of Vishnu Prasad Sah, Resident of Village- North Bhawanipur, P.S.- Sangrampur, District- East Champaran.
12. Anand Kumar, Son of Phuldev Mishra, Resident of Village- South Bhawanipur, P.S.- Sangrampur, District- East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate
For the Respondent/s : Mr. Kameshwar Kumar, GP 17

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 09-05-2022 The case is being taken up from defect side.

Learned counsel for the petitioners is directed to
submit the original petition along with attested affidavits and



also remove the defects pointed out by the Registry within two weeks from today.

Learned counsel for the petitioners submits that the petitioners had assailed the order of the District Teacher Employment Appellate Authority, East Champaran, Motihari directly by filing a writ petition before this Court which came to be dismissed for default on 14th May, 2019 for non-prosecution.

Learned counsel for the petitioners submits that as a matter was not decided on merits, he may be granted liberty to take up the matter before the State Appellate Authority and the period of pendency of the writ petition before this Court may be condoned.

Considering the facts as above, the petitioners are allowed to withdraw the writ petition with liberty to take up their grievances before the State Appellate Authority. If an appeal is preferred within a period of one month from today, the State Appellate Authority would consider the case on merits without delving with the question of limitation.

(Sanjeev Prakash Sharma, J)

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