

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16031 of 2022

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Md. Maslehuddin Son of Md. Tajammul Hussain, Resident of Village-
Babhangama pathan Tola, P.O. Babhangama, Police Station-Bihpur, District-
Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Principal Secretary, Department of Education, Govt. of Bihar, Patna.
3. The District Education Officer, Dist. Bhagalpur.
4. The District Programme Officer, (Estab), Dist. Bhagalpur.
5. The Block Education Officer, Block-Bihpur, Dist. Bhagalpur.
6. The Panchayat Secretary-Cum-Secretary, Employment Unit, Gram
Panchayat- Jhandapur West, Block-Bihpur, Dist-Bhagalpur.
7. Md. Kamrul Hassan Son of Md. Nafijuddin Khan Resident of Village-
Pathan Tola Babhangama, P.O. Babhangama, Police Station-Bihpur, Dist.
Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Kumar, Adv.
For the Respondent/s : Mr. Madan Jeet Kumar (GP20)

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

- 2 30-11-2022 1. Learned counsel for the petitioner has taken this

Court to para 9 of the impugned order and submits that the State
Appellate Authority itself should have examined the issue on
merits, instead of remanding the matter to the District Appellate
Authority. Learned counsel submits that the District Appellate
Authority is not functional which is very well in knowledge of
the State Appellate Authority.
2. Learned counsel for the State does not object if a



direction is issued to the State Appellate Authority to decide the issue on merits instead of remanding it to the District Appellate Authority, for determining on the second point. The State Appellate Authority shall notice all the candidates who are entitled for appointment and pass an order as per their own direction given to the District Appellate Authority.

The writ petition is disposed of.

(Sanjeev Prakash Sharma, J)

shaswat/-
Item No. 33

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