

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.622 of 2021

In
Civil Writ Jurisdiction Case No.16105 of 2012

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Devendra Kumar, Son of Late Sharan Ravidas, Resident of Village- Galipur,
P.S.- Giriyak District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Human Resources Development Department, Bihar,
Patna.
3. The District Education Officer, Nalanda.
4. The Block Education Officer, Katrisarai, District- Nalanda.
5. The District Teachers Appellate Authority, Nalanda through its Registrar.
6. The Mukhiya Gram Panchayat, Mairabarith, P.S. Katrisarai, District
-Nalanda.
7. Santosh Bharti, Son of Ram Baiju Paswan, Resident of Village- Barith, P.S.-
Giriyak, District- Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate
For the Opposite Party/s : Mr. AC to AG

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 21-09-2023 Heard Mr. Pankaj Kumar, learned counsel for the
petitioner and the learned counsel for the State.

2. The petitioner filed the present application seeking
modification of order dated 10.10.2018 passed by the learned
coordinate Bench of this Court in C.W.J.C. No. 16105 of 2012
(Devendra Kumar Vs. The State of Bihar & Ors) to the extent,
whereby period has been prescribed to approach the State



Appellate Tribunal, pursuant to the order of the Hon'ble Court.

3. It is submitted on behalf of the petitioner that C.W.J.C. No. 16105 of 2012 was disposed of vide order dated 10.10.2018 with liberty to the petitioner, to file an appeal, with an observation that in case such appeal is filed by the petitioner within a period of one month from today along with copy of this order, the Appellate Authority will condone the delay in filing the appeal and entertain and decide the same expeditiously on its own merits in view of the pendency of the writ petition for last more than six years.

4. He submits that since the matter was taken up in the year 2018 and in the meantime, the new Rules came into force constituting the Appellate Authority, prescribing the period of limitation for filing appeal, thus the liberty was granted to the petitioner considering the fact that his bonafide claim would not be defeated.

5. Considering the averments made in the present modification application and the submissions advanced, the order dated 10.10.2018, passed in C.W.J.C. No. 16105 of 2012, stands modified to the extent whereby the period has been prescribed for filing appeal, for a further period of four weeks from today.



6. In case, the petitioner files any appeal before the Appellate Authority, the same shall be considered in terms of the order of this Court dated 10.10.2018.

7. Accordingly, the present modification stands allowed.

(Harish Kumar, J)

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