

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15448 of 2014**

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Rajiv Kumar Singh son of Ranjit Prasad Singh, resident of village- Akodhi,  
P.S.- Bagen Gola, District- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Buxar
3. The District Education Officer, Buxar
4. The Block Education Extension Officer, Brahmpur, Buxar
5. Mukhiya, Gram Panchayat- Pokharahan, Block- Brahmpur, District- Buxar

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Shailesh Kumar Sharma, Advocate  
For the Respondent/s : Mr. A.C to S.C-14

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

5      12-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has filed the instant application for  
the following relief(s):-

*“i) For issuance of an appropriate writ for quashing the Memo No.279 dated 18.07.2014 to the extent of the petitioner issued under the signature of Block Education Officer, Brahmpur, District- Buxar by which the petitioner has been directed to hand over the charge of the officiating headmaster of Primary School, Akodhi to Bhim Thakur stating therein that Bhim Thakur is senior most to the petitioner.*

*(ii) For issuance of an appropriate writ for directing and commanding the respondents not to disturb the petitioner as the officiating headmaster of Primary*



*School, Akodhi as the petitioner is the senior most teacher of the said school.*

*(iii) For any other relief or releifs to which the petitioner may be found entitled to in the facts and circumstances of this case.”*

3. It is submitted by learned counsel appearing for the respondents that a counter affidavit has been filed on behalf of the Block Education Extension Officer, Brahmpur, Buxar (respondent no.4) bringing on record the office order contained in memo no. 352 dated 8.12.2015 issued under the signature of the Block Education Officer, Brahmpur, Buxar whereby for the reasons stated therein the order impugned contained in memo no.279 dated 18.7.2014 has been modified and the petitioner has been permitted to continue to work as the Headmaster of the school in question.

4. Although a copy of the said counter affidavit has been served on learned counsel for the petitioner as far back as on 3.2.2016, no reply has been filed thereto contradicting the statement made therein.

5. Having heard learned counsel for the parties, in view of the statement made in the counter affidavit and the order brought on record, as stated hereinabove, in the opinion of the Court nothing remains in the writ application and the same has



become infructuous.

6. Accordingly, the application stands disposed of as  
infructuous.

**(Partha Sarthy, J)**

Shiv/-

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