

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4072 of 2021

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Sunil Kumar Singh Son of Late Jaynarayan Singh Resident of Village-
Rupheri, P.S.Chiraiya, District East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
4. The District Education Officer, East Champaran, Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Mr.Rajan
For the Respondent/s	:	Mr.Kumaresh Singh, AC to SC-28

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 05-10-2023 1. Heard Mr. Sanjay Kumar, learned counsel for the petitioner and Mr. Kumaresh Singh, learned A.C. to Standing Counsel No.-28 for the State.

2. The petitioner has challenged the order dated 26.12.2002 passed by Regional Deputy Director of Education, Tirhut Division, Muzaffarpur, by which the services of the petitioner has been terminated on the ground that appointment of the petitioner on the post of Clerk in High School, Sirauna, East Champaran was illegal and irregular.

3. It is not disputed that the petitioner had challenged the order of dismissal before this court earlier in CWJC No. 23035 of 2011 (Annexure-6) and a Co-ordinate Bench of this



Court vide its order dated 30.04.2012 taking note of the fact that the petitioner had challenged the order of dismissal in a Title Suit bearing Title Suit No. 27 of 2003 dismissed the writ application with further direction that the petitioner may seek his remedy under the Code of Civil Procedure with regard to such a dismissed suit for non prosecution.

4. Learned counsel for the petitioner submits that Title Suit has been decided against the petitioner upon contest and the Title Appeal preferred by him has also been dismissed.

5. In view of the aforesaid fact, this writ application cannot be entertained inasmuch as entertaining the writ application will amount to allowing parallel remedy to the petitioner.

6. Accordingly, the application is dismissed. However, the petitioner may pursue his remedy under the Code of Civil Procedure.

(Anil Kumar Sinha, J)

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