

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21442 of 2014

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Surendra Kumar S/o Shri Maheshwari Yadav Resident of Village Kajaha, P.O. Laukaha Via Garh Baruari, P.S. District Supaul, presently working as PRERAK in Gram Panchayat Laukaha, P.S. and District Supaul.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Principal Secretary, Department of Human Resources Development, Government of Bihar, Patna.
3. The Principal Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
4. The Director, Department of Primary Education, Government of Bihar, Patna.
5. The Commissioner, Koshi Division, Saharsa.
6. The District Magistrate, Supaul.
7. The District Panchayati Raj Officer, Supaul.
8. The District Education Officer, Supaul.
9. The District Programme Officer Middle Education and Literacy, Supaul.
10. The Block Education Officer, Supaul.
11. The Lok Siksha Committee of Gram Panchayat, Laukaha through its Chairman Mukhiya of Gram Panchayat,
12. The Mukhiya of Gram Panchayat, Laukaha, P.S. District Supaul.
13. Shyam Sundar Ram S/o Late Basudeo Ram Resident of Village -.....

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Advocate
For the Respondent/s : Mr. Naman Nayak, AC to AAG-13

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 22-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has filed the instant writ application

for the following relief(s):-

“A) To issue a writ in the nature of certiorari setting aside letter dated 14.10.2014 contained in letter No. 203 (Annexure-6) by which the District Programme



Officer, Middle Education and Literacy, Supaul has directed to Mukhiya of Gram Panchayat, Laukaha that the District Magistrate has been pleased to select Respondent No.13 Shyam Sundar Ram against the post of Prerak in in Gram Panchayat, Laukaha in place of petitioner. in this circumstance it was requested to do the needful.

B) To issue a writ in the nature of prohibition directing the Respondents in particular Respondent No.11 Lok Siksha Committee of Gram Panchayat, Laukaha not to give effect to letter dated 14.10.2014 contained in letter No.214 (Annexure-5).

C) And/or for any other writ/writ, order/order, direction/directions for granting any other relief/reliefs to which the petitioner is found entitled to in the facts and circumstances of this case.”

3. At the outset, learned counsel for the petitioner submits that the post of ‘*prerak*’ having been abolished/discontinued with effect from 1.4.2018, although the instant writ application has become infructuous, however at the same time it is submitted that the honorarium to the tune of Rs. 1,31,000/- (approx.) remains due and payable by the Block Education Officer, Supaul (respondent no.10) to this petitioner.

4. In view of the above, the application is disposed of as having become infructuous.

5. At the same time, learned counsel for the petitioner will be at liberty to move an application before the Block



Education Officer, Supaul (respondent no.10) for his remaining grievances/dues. In case the said representation is filed within a period of two months from today, the same shall be decided and disposed of within the period of three months from the date of its filing. It is further directed that in case any amount is found payable to the petitioner, the admitted amount shall be paid to the petitioner within the aforesaid period of three months.

(Partha Sarthy, J)

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