

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7977 of 2015

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Dauji Pandey Son of Late Mahadeo Pandey, Resident of Village-Janardanpur,
P.S. Durgawati, District Kaimur at Bhabhua.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Primary Education, Bihar, Patna.
3. The District Magistrate, Kaimur at Bhabua.
4. The District Education Officer, Kaimur at Bhabhua.
5. The District Programme Officer, Kaimur at Bhabhua.
6. The Block Development Officer, Durgawati, Kaimur at Bhabhua.
7. The Primary Teacher Appointment Committee, Gram Panchayat Raj,
Awariya, P.S. Durgawati, Kaimur at
8. The Headmaster, Primary School Chogra, P.S. Durgawati, Kaimur at
Bhabhua.
9. Piyush Kumar Pandey, Son of Sri Krishna Pandey, Resident of Village
Janardanpur, P.S. Durgawati, At present posted as Panchayat Teacher
Primary School Chogra P.S. Durgawati, District Kaimur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha, Advocate
For the Respondent/s : Mr. Md. Raisul Haque, SC-4

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 3 24-11-2023 1. Heard learned counsel for the petitioner, learned
counsel for the State-respondents and learned counsel for the
respondent no.9.
2. The petitioner has filed the instant application for
the following relief(s):-

*“(i) For issuance of writ in the nature of mandamus
commanding and directing the Respondents Authority
to hold an enquiry with regard to the appointment of
private respondent no. 9 who has illegally been*



appointed by the Primary Panchayat Teacher Appointment Committee as the certificate produced by the private respondent no. 9 is forge and fabricated.

(ii) For further direction to the Respondents Authority to take appropriate action against the private respondent no. 9 and against all respondents concern who illegally appointed the private respondent no. 9 on the basis of forge certificate and also take appropriate steps for lodging a criminal prosecution and entire salary trained by the respondent no.9 if the allegation is found true.

(iii) For further quashing of the order dated 26.12.2014 passed by the District Teacher Appointment Appellate Authority, Kaimur at Bhabua who despite of the fact that the District Programme Officer has recommended after holding enquiry for dismissal of the Respondent No. 9.

(iv) And for any other relief/reliefs for which the petitioner is found to be entitled in the eye of law.”

3. On perusal of the record, it transpires that on 4.12.2018, on prayer of learned counsel for the petitioner that the sole petitioner had died, the following order was passed:-

“Learned counsel appearing on behalf of the petitioner submits that he has to take step for substitution of the petitioner, who died during the pendency of the writ petition.

As prayed for, put up this case after two weeks.”

4. No substitution petition having been filed inspite of



substantial time having passed since the above order, the Court does not propose to keep this application pending.

5. The application is disposed of with liberty to the heirs to make an appropriate application before the respondents concerned for any subsisting grievances.

(Partha Sarthy, J)

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