

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2505 of 2023

In
Civil Writ Jurisdiction Case No.9309 of 2022

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1. Pramod Kumar Mishra Son of Umashankar Mishra, Resident at Puchhi Kala, P.S.-Janta Bazar, District-Saran.
 2. Binod Kumar, Son of Kapildeo Manjhi, Resident at Jagdishpur, P.S.-Maharajganj, District-Siwan.
 3. Nimi Kumari, Daughter of Jaleshwar Singh, Resident at Nadaua, P.S.-Bhagwanpur, District-Siwan.
 4. Rinawati Devi, Daughter of Ramdayal Manjhi, Resident at Piparpati, P.S.-Baniyapur, District-Saran at Chapra.
 5. Baleshwar Kumar, Son of Parshuram Sah, Resident at Sahajitpur, P.S.-Baniyapur, District-Saran at Chapra.
 6. Mangal Manjhi, son of Garjan Manjhi, Resident of Village-Najiba, P.S.-Baniyapur, District-Saran at Chapra.
 7. Rajesh Kumar Manjhi, son of Ramjit Manjhi, Resident Village-Piparpati, P.S.-Bhagwanpurhat, District-Siwan.
 8. Sanjeev Kumar, son of Gurucharan Singh @ Gurucharan Prasad, Resident at Shekhpura, P.S.-Baniyapur, District-Saran at Chapra.
 9. Kumari Nirmala, daughter of Arun Kumar Pandit, Resident at Majiya, P.S.-Goraul, District-Vaishali.
 10. Jaysree Devi, Wife of Sudeshwar Singh, Resident at Pindra, P.S.-Baniyapur, District-Saran at Chapra.
 11. Rakesh Prasad, son of Rajendra Prasad, Resident at Piparpati, P.S.-Baniyapur, District-Saran at Chapra.
 12. Seema Kumari, Daughter of Om Prakash Manjhi, Resident at and Post Mahammadpur, P.S.-Manjhi, District-Saran at Chapra.
 13. Sanju Devi, Wife of Sanjay Kumar Bharti, Resident of Mohabbat Nath Ke Mathiya, P.S.-Rasulpur, District-Saran at Chapra.
 14. Srikant Pandey, Son of Jaynarayan Pandey, Resident of Village Daribari, P.S. Baniyapur, District-Saran at Chapra.
 15. Kumari Bibha Mishra, Daughter of Tara Kumar Mishra, Wife of Ajay Kumar, Resident at and Post-Khanpur, P.s. Manjhi, District-Saran at Chapra.
 16. Anita Kumari, Daughter of Laxmi Singh, Resident of Village and Post-Sahsaraon, P.S.-Bhagwanpur Hat, District-Siwan.
 17. Sunil Kumar Singh @ Sunil Singh, Son of Yamuna Singh, Resident of Village-Salakhua, P.O. Apher, P.S.-Bheldi, District-Saran at Chapra.
 18. Santosh Kumar Son of Virendra Singh, Resident of Village and Post-Baniyapur, District-Saran.
 19. Vinita Devi, Wife of Ramadhar Singh, Resident of Village-Chainpur Lalapur, Post-Baksganda, P.S.-Parsa, District-Saran at Chapra.
 20. Samlesh Mahto, Son of Raghu Mahto, Resident of Maojegoa, Post Piparpati,



P.S.-Baniyapur, District-Saran at Chapra.

21. Kumari Bindu Priya, Daughter of Birendra Tiwari, Resident at and Post-Khanpur, P.S.-Manjhi, District-Saran at Chapra.
22. Bacha Prasad, Son of Srinath Sah, Resident at and Post-Kolhua, P.S.-Baniyapur, District-Saran at Chapra.
23. Khusboo Kumari, Daughter of Shailesh Sharma, Resident at Shekhpura, Post-Piparpati, P.S.-Baniyapur, District-Saran at Chapra.
24. Sneha Kumari, Daughter of Rakesh Kumar Singh, Resident of Paharichak, P.S.-Sonpur, District-Saran at Chapra.
25. Rajesh Kumar Singh, son of Ambika Singh, Resident of Paharichak, P.S.-Sonpur, District-Saran at Chapra.
26. Madan Manjhi, son of Garjan Manjhi, Resident of Village and Post-Sahajitpur, P.S.-Baniyapur, District-Saran at Chapra.
27. Pramod Kumar Prasad @ Pramod Kumar, Son of Shirolal Prasad, Resident of Village-Manopali, Post-Sahajitpur, P.S.-Baniyapur, District-Saran at Chapra.
28. Ekramul Haque Parwana, Son of Md. Molazim, Resident of Village-Manopali, P.S.-Baniyapur, District-Saran at Chapra.
29. Raju Kumar, Son of Yogendra Prasad, Resident of Village-Manopali, P.S.-Baniyapur, District-Saran at Chapra.
30. Hareram Kumar, Son of Chandrika Sah, Resident of Village and Post-Sarmi, P.S.-Baniyapur, District-Saran at Chapra.
31. Kamlesh Mahto, Son of Raghu Mahto, Resident at Maojegao, Post-Piparpati, P.S.-Baniyapur, District-Saran at Chapra.
32. Pranaw Kumar, Son of Ramprit Singh, Resident of Village and Post-Pipra, P.S.-Baniyapur, District-Saran.
33. Bibhuti Prakash Chandra, son of Banarsi Ram, Resident of Village-Maojegoa, Post-Piparpati, P.S.-Baniyapur, District-Saran at Chapra.
34. Menka Kumari, Daughter of Rameshwar Singh, Resident of Village and Post Pipra, PS Baniyapur, District-Saran.
35. Raj Kumar Manjhi, son of Anarshi Manjhi, Resident of Village-Maojegoa, Post-Piparpati, P.S.-Baniyapur, District-Saran at Chapra.
36. Rajesh Kumar, son of Punyadeo Kumar, Resident of Pindra, Post Bhagwanpur Hat, P.s. Baniyapur, District Saran.
37. Raju Kumar @ Raju Kumar Rai, son of Shambhu Rai, Resident at Goa, Post-Piparpati, P.S.-Baniyapur, District-Saran at Chapra.
38. Shakti Kumar Son of Chandrama, Resident at and Post-Kanhouli Manohar, P.S.-Baniyapur, District-Saran at Chapra.
39. Umesh Rai, Son of Jharilal Rai, Resident at Anandpur, Post-Kolhua, P.S.-Baniyapur, District-Saran at Chapra.
40. Sobha Kumari, Daughter of Sukhdeo Sharma, Resident at Gohpur, P.S.-Sundar Nagar Tarwana, District-Siwan.
41. Raju Kumar Mahto Son of Satyanarayan Mahto, Resident of Village-Bnagra, P.s. Jalalpur, District-Saran at Chapra.



42. Pinki Kumari, Daughter of Gopaljee Prasad, Resident at Piparahiya, Post-Arua, P.S. Bhagwanpur Hat, District-Siwan.
43. Manju Kumari, Daughter of Nandjee Sah, Resident at Abhui, P.O. and P.S.-Daraunda, District-Siwan.
44. Sanju Kumari, Daughter of Sayanarayan Prasad, Resident at and Post-G.S. Bangral, P.S.-Jalalpur, District-Saran at Chapra.
45. Sapna Goswami, Daughter of Buneswar Goshwami, Resident at and Post-Nagdiha, P.S.-Baniyapur, District-Saran at Chapra.
46. Pankaj Kumar Rai, Son of Rabindra Rai, Resident of Village-Banpura, Post-Chanchoura, P.S. Rasulpur, District-Saran at Chapra.
47. Nitu Kumari, Daughter of Jay Prakash Yadav, Resident of Village and Post-Magaidih, P.S.-Chapra Muffasil, District-Saran at Chapra.
48. Meena Kumar, Daughter of Daroga Singh, Resident of Village and Post-Gopalbadi, P.S.-Mashrakh, District-Saran at Chapra.
49. Nitu Kumari, Daughter of Dharmendra Kumar Sharma, Resident of Village-Mathiya, Post and P.S.-Basantpur, District-Siwan.
50. Kanchan Kumari, Daughter of Harishankar Rai, Resident of Village-Madhopur, Post-Chainwa, P.S.-Rasulpur, District-Saran at Chapra.
51. Shashi Kumar Singh, son of Parshuram Prasad Singh, Resident of Manopali, Post-Shajitpur, P.S.-Baniyapur, District-Saran at Chapra.
52. Sanny Pratap Singh, son of Baadsah Singh, Resident of Village and Post-Pipra, P.S.-Rasulpur, District-Saran at Chapra.
53. Tap Lal Kumar, Son of Mishri Sah, Resident at Sarmi, P.S.-Baniyapur, District-Saran at Chapra.
54. Krishna Sharma, Son of Dhanraj Thakur Sharma, Resident at Barki Dhawri, Post-Sarmi, P.S.-Baniyapur, District-Saran at Chapra.
55. Santosh Kumar Singh, Son of Ramadhar Singh, Resident of Village-Salakhua, Post-Apher, P.S.-Bheldi, District-Saran at Chapra.
56. Anand Kumar, Son of Thakur Prasad, resident at and Post and P.S. -Kopa, District-Saran at Chapra.
57. Guddi Kumari, Daughter of Dhurandhar Singh, Resident of Village-Gobindapur, P.S.-Bhagwanpurhat, District-Saran.
58. Kumari Gudiya, Daughter of Mahindar Singh, Resident at Bhikhampur Chorasi, P.S. Bhagwanpur, District-Siwan.
59. Sarita Kumari, Daughter of Ram Pukar Sah, resident of Village and Post-Sahajtipur, P.S.-Baniyapur, District-Saran at Chapra.
60. Arpana Kumari, Daughter of Ajit Singh, Resident of Village and Post-Mane, P.S.-Ekma, District-Saran.
61. Ramawati Devi, Daughter of Shambhu Nath Tiwari, Resident of Village and Post-Hussepur, P.S.-Ekma, District-Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.



2. The Principal Secretary, Human Resources Department, Govt. of Bihar, Patna.
3. Special Secretary-cum-In Charge Director, Public Education, Department of Education, Bihar, Patna.
4. Director, Department of Education, Govt. of Bihar, Patna.
5. Regional Deputy Director, Department of Education, Saran at Chapra.
6. Commissioner Saran at Chapra.
7. District Magistrate, Saran at Chapra.
8. Superintendent of Police, Saran, Chapra.
9. District Education Officer, Saran, Chapra.
10. District Programme Officer, Saran, Chapra.
11. Member, District Appellate Authority, Saran, Chapra.
12. Block Development Officer, Ekma, Saran.
13. Block Education Extension Officer, Ekma, Saran.
14. Prakhanda Pramukh, Ekma Block, Saran.
15. Director (Adm.)-cum-Additional Secretary, Department of Education, Govt. of Bihar, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Mishra, Adv.
For the Opposite Party/s : Mr. Prabhakar Jha, GP-27

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-09-2023 Heard the parties.

2. The petitioner presses the present application seeking restoration of C.W.J.C. No. 9309 of 2022, which stood dismissed for non-compliance of the peremptory order dated 11.11.2022 whereby the petitioner was allowed three weeks time to remove the defect(s) as pointed out by the registry.

3. Learned counsel for the petitioner submits that on account of mistake of advocate clerk the defect(s) as pointed out by the registry could not be removed resulting into the dismissal



of the writ application. He further submits that if the writ petition would not be restored to its original file, irreparable loss will cause to the petitioner.

4. Considering the averments made in the application and the submissions advanced, the present application stands allowed. C.W.J.C. No. 9309 of 2022 is restored to its original file.

(Harish Kumar, J)

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