

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.846 of 2018

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Rabindra Nath Son of Late Ram Janam Ojha, Resident of Village- Bajrahiya,
Post Office- Amardah, Via- Sadhawara, Police Station- Isuapur, District-
Saran. Retired while working as a Block Education Officer, Baikunthpur,
Block- Baikunthpur, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Education Department, Patna.
4. The Deputy Director, Primary Education, Education Department, Patna.
5. The District Programme Officer Establishment, Gopalganj.
6. The District Treasury Officer, Gopalganj.
7. The Accountant General, Veerchand Patel Patel Path, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Harendra Kumar Mishra, Advocate
For the Respondent/s	:	Mr.Shashi Shekhar Tiwary, AAG 13
For the AG	:	Mr.Chaitanya Swaroop, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

32 18-04-2023 Heard Mr. Hrendra Kumar Mishra, learned counsel

appearing on behalf of the petitioner, Mr. Shashi Shekhar

Tiwary, learned AAG 13 appearing for the Respondents and Mr.

Chaitanya Swaroop, learned counsel appearing for the Account

General (Bihar).

2. Learned counsel appearing on behalf of the

petitioner seeks permission to withdraw the present writ petition

with liberty to file a detailed representation in the light of

decision in the case of *Smt. Ram Laxmi Mishra* bearing *CWJC*



No.1712 of 2002 along with certified copy of the order of the said case before the concerned authority.

3. Permission is granted.

4. The present writ petition is accordingly dismissed as withdrawn with liberty to the petitioner to file a detailed representation before the concerned authority having jurisdiction.

5. The representation of the petitioner must preferably be disposed of within a period of three months from the date of its filing before the competent authority. The concerned authority will first arrive at his own opinion as to whether the decision in the case of **Smt. Ram Laxmi Mishra** (supra) is applicable in the case of the petitioner and if he finds that the case of the petitioner is covered by the said decision and subsequent decision of the Hon'ble Apex Court, the representation of the petitioner is required to be disposed of strictly within the period of three months from the date of filing of representation.

(Purnendu Singh, J)

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