

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1265 of 2019

Dr. Sanjay Kumar Late Braj Kishore Yadav Resident of Village- Garhi Vishanpur, P.O.- Kiul Railway Station, Police Station- Lakhisarai, District- Lakhisarai.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors through the Principal Secretary, Human Resource Development Department, Patna.
2. The Director, Secondary Education, Govt. of Bihar, Patna.
3. The Deputy Director Secondary Education, Bihar Secondary Education Office Budh Marg, Patna.
4. The Regional Deputy Director of Education, Munger Division, Munger.
5. The Collector, Lakhisarai
6. The District Education Officer, Lakhisarai
7. The District Programme Officer, R.M.S.A. Lakhisarai
8. The District Programme Officer , Establishment, Lakhisarai
9. Rajeev Kumar Ram Lakhan Saw Resident of Village- Agawanpur, Police Station- Barh, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan Sinha
For the State	:	Mr. Jai Prabhat Kishore

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 11-03-2024

Learned counsel for the State has filed the counter affidavit today in the Court.

2. Let it be kept on record.

3. Heard learned counsel for the petitioner and learned counsel for the State.

4. The present writ petition has been filed for the following reliefs:



I. For quashing of the letter Memo No. 246 dated 12.09.2018 passed by the Director (Secondary Education), Patna whereby and whereunder the petitioner has been placed in the second position in the inter-seniority, on the basis of comparative chart of the petitioner and respondent no. 9 issued by D.E.O. Lakhisarai whereas the petitioner is a teacher in Higher Secondary School and setting higher pay scale than the private respondent namely, Rajiv Kumar and as such the action of the respondents is quite illegal, arbitrary and mala fide and the impugned order is fit to be set aside.

II. For direction the respondent authorities to appoint the petitioner on the post of In-charge Headmaster in the Mananpur High School, Lakhisarai on the basis of seniority and after quashing of the Annexure-1 to this petition.

III. For grant such other relief(s) for which the petitioner is found to be entitled in this facts and circumstances of the case.

5. A counter affidavit has been filed on behalf of the respondent no. 8 in which it is stated that the present writ petition has become infructuous as the petitioner has cleared the examination hosted by B.P.S.C for teacher and subsequently he has



been posted as Teacher (11-12) at U.H.S., Rasoolpur and joined the said post on 08.02.2024.

6. Considering the facts and circumstances of the case, this writ petition is dismissed as having become infructuous.

(Anjani Kumar Sharan, J)

devendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.03.2024
Transmission Date	NA

