

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12804 of 2023

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Mithun Anand Son of Late Brahmanand Mandal @ Brahma Nand Mandal,
Resident of village- Maratipur ward no. - 04, P.O. and P.S. - Kursakanta
District - Araria.

... .. Petitioner/s

Versus

- 1 . The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Secretary cum Commissioner, Human Resource Development
Department, Patna, Bihar.
- 3 . The Regional Deputy Director of Education (RDDE) Purnia District - Purnia
4. The District Magistrate Araria, District - Araria
- 5 . The District Education Officer Araria, District - Araria

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Ziaul Quamar , Advocate
For the Respondent/s : Mr. Madhaw Pd. Yadaw (Gp23)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-12-2024 Heard learned counsel for the parties.

2. This writ application has been filed for directing the
respondent No. 4, the District Magistrate Araria to appoint the
petitioner on the post of regular assistant teacher in the light of
Mukesh & anr. v/s the State of Bihar & ors :(2017) 5 SCC 383 .

3 . The learned counsel for the petitioner submits that
the present case is squarely covered by a judgment rendered by
the Hon'ble Apex Court in the case of Mukesh & Anr Vs. State
of Bihar & Ors., reported in (2017) 5 SCC 383 .

4. The learned counsel for the respondents submits
that the case of the petitioner shall be examined by the



Respondent No. 4 , the District Magistrate Araria and in case , the case of the petitioner is found similar to that of Mukesh & Anr (supra), necessary relief would be granted.

5 . Having regard to the submissions made by the learned counsels for the parties the present writ petition is disposed of with a direction to the petitioner to file detailed representation before the Respondent No. 4, the District Magistrate Araria within a period of four weeks from today and the Respondent No. 4, the District Magistrate Araria shall consider the case of the petitioner in light of the judgment rendered by the Hon'ble Apex Court in the case of Mukesh & Anr (supra) and pass necessary orders in accordance with law within a period of three months from the date of filing of such representation .

(Prabhat Kumar Singh, J)

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