

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.728 of 2022

In

Civil Writ Jurisdiction Case No.6715 of 2021

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Suresh Singh, Son of Late Nathuni Singh Resident of Village-Suhaigajan,
P.O. Suhai Sahpur, P.S.-Baniyapur, District-Saran at Chapra.

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna
2. The Principal Secretary, Department of Human Resources Development (Department of Education), G Department of Human Resources Development (Department of Education), Government of Bihar, New Secretariat, Patna.
3. The Principal Secretary, Department of Personnel and Administrative Reforms, now known as Department of General Administration, Government of Bihar, Old Secretariat, Patna
4. The Director, Secondary Education, Department of Human Resources Development (Department of Education), Government of Bihar, New Secretariat, Patna
5. The Director, Mass Education (Jan Shiksha)-cum-Additional Secretary, Department of Human Resources Development (Department of Education), Government of Bihar, New Secretariat, Patna
6. The Director (Administration)-cum-Additional Secretary, Department of Human Resources Development (Department of Education), Government of Bihar, New Secretariat, Patna
7. The Regional Deputy Director of Education, Saran Division, District - Saran at Chapra
8. The District Magistrate/Collector, Saran, District - Saran at Chapra
9. The District Education Officer, Saran, District - Saran at Chapra
10. The District Mass Education (Jan Shiksha) Officer, Saran, District - Saran at Chapra
11. The District Programme Officer (Establishment) Saran, District - Saran at Chapra
12. The District Programme Officer (Literacy), Saran, District - Saran at Chapra
13. The District Programme Officer (Planning and Account) Saran, District - Saran at Chapra
14. The District Treasury Officer, Saran, District-Saran at Chapra.
15. The Principal Vishweshwar Seminary, Chapra Town, District - Saran at Chapra

... .. Respondent/s

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Appearance :



For the Appellant/s : Mr. S.B.K.Manglam, Advocate
Mr.Awnish Kumar, Advocate
For the Respondent/s : Mr. Apurva Kumar, Advocate

**CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)**

Date : 14-05-2024

Re.: I.A.No. 1 of 2022

There is 229 days delay in filing the appeal.

2. Having gone through the affidavit filed along with the application, we find that there are sufficient grounds stated by the appellant to condone the delay.

3. Delay is condoned.

4. I.A. No. 1 of 2022 stands disposed of.

Re.: L.P.A. No. 728 of 2022

5. The impugned order directed the appellant to approach the District Appellate Authority/ State Appellate Authority. As per Annexure-A judgment of a Division Bench in LPA No. 255 of 2022, produced by the State in the counter affidavit, the District Appellate Authority/ State Appellate Authority will not have any jurisdiction with respect to the appellant's case, since appellant is a Peon in the Government High School and the District Appellate Authority or the State Appellate Authority had jurisdiction only with respect to a Panchayat Teacher appointed to the Government Schools.



6. In such circumstance, we set aside the impugned order dated 31.03.2022 and restore the writ petition before the learned Single Judge.

7. The appeal stands disposed of.

8. Interlocutory application, if any, shall stand disposed of.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

Sujit/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	14.05.2024
Transmission Date	

