

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Miscellaneous Jurisdiction Case No.350 of 2025**

**In**  
**Civil Writ Jurisdiction Case No.509 of 2022**

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Ashok Kumar, Male, Aged about 44 years, Son of Ramanand Singh, Resident of Village and P.O.- Khaira, P.S. Rafiganj, District-Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Additional Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Magistrate, Aurangabad.
5. The District Education Officer, Aurangabad.
6. The District Programme Officer (Establishment), Aurangabad.
7. The Block Education Officer, Madanpur Block, Aurangabad.
8. The Block Development Officer, Madanpur, Aurangabad.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Adil Abbas, Advocate  
For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE NANI TAGIA**  
**ORAL ORDER**

2      19-03-2025                      Heard learned counsel for the parties.

2. This application has been filed for recalling of the order dated 03.10.2024 passed in C.W.J.C. No. 509 of 2022, whereby, on the prayer of the learned counsel for the petitioner, the writ petition was directed to be listed after disposal of C.W.J.C. No. 17757 of 2021.

3. The recall of the aforesaid order dated 03.10.2024 has been sought for by the applicant/ writ petitioner on the ground that the respondent authorities have now issued a



recovery order. The issue invoked in the C.W.J.C. No. 509 of 2022 is stated to be termination of the petitioner from service from the post of Block Teacher. The recovery order issued by the respondent authorities being a subsequent development after the petitioner's service as Block Teacher was terminated is a fresh cause of action which may be challenged by instituting fresh proceedings.

4. Accordingly, in order to challenge the order issued by the respondent authorities, the order dated 03.10.2024 passed in C.W.J.C. No. 509 of 2022 need not be recalled as the said order was passed on the request of learned counsel for the petitioner.

5. This application, therefore, shall stands disposed off with a liberty given to the petitioner to challenge the recovery order in an appropriate proceeding as may be permissible under the law.

**(Nani Tagia, J)**

Nilmani/-

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