

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7162 of 2021

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Md. Mukhtar Son of Abdul Hafiz Resident of Mohalla- Machhula Toli, Milki
Mohalla, Police Station- Ara Town, District- Bhojpur at Ara.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director Primary Education, Education Department, Govt. of Bihar, Patna.
3. The District Magistrate Bhojpur, Ara.
4. The District Education Officer Bhojpur, Ara.
5. The District Programme Officer (Establishment) Bhojpur at Ara.
6. The Block Education Officer Block- Barhara, District- Bhojpur at Ara.
7. The Panchayat Secretary Gram Panchayat Saraiya, Block- Barhara, District- Bhojpur at Ara.
8. The Bihar School Examination Board Through its Secretary, Bihar, Patna.
9. The Secretary Bihar School Examination Board, Bihar, Patna-17.
10. The Headmaster Hit Narayan Chhatriya Higher Secondary School, Ara, Bhojpur.
11. Md. Kaushar Alam Son of Late Md. Hadish Ansari Resident of Village- Daroga Chakiya, Police Station- Ara Muffasil, District- Bhojpur at Ara.
12. The Vigilance Investigation Bureau Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Advocate
For the Respondent/s	:	AC to (AG)
		Mr. Sumeet Singh, Advocate
		Mr. Shivam Singh, Advocate
		Mr. Rajesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 26-06-2025 Heard Mr. Rajesh Kumar, learned counsel appearing

on behalf of the petitioner; learned AC to (AG) for the State;

Mr. Sumeet Singh along with Mr. Shivam Singh and Mr. Rajesh

Kumar learned counsels appearing on behalf of the



Respondent/s.

2. The petitioner in paragraph no. 1 of the present writ petition has sought *inter alia* the following relief(s), which is reproduced hereinafter:-

“1. That, this is an application issuance of an for appropriate writ in the nature of certiorari for quashing the order dated 13.06.2019 passed in Appeal Case No. 253 of 2019 by Chairperson, State Appellate Authority by which the learned Chairperson disallowed the appeal with liberty and also for setting aside the order dated 25.03.2019 passed in Appeal Case No. 05 of 2018 passed by Presiding Officer, District Appellate Authority, Bhojpur at Ara by which appeal has been rejected as well also for setting aside the letter No. 2366, dated 08.07.2020, issued under the signature of District Programme Officer (Establishment) by which a cryptic order has been passed and also for a direction in the nature of mandamus upon production of engagement letter of respondent no. 11, engagement letter of Md. Kaushar Alam, respondent no. 11 be set aside and in place of respondent no. 11 petitioner be engaged as Panchayat Teacher as well this Hon'ble Court is kind enough to constitute a Medical Board for determination of age of respondent no. 11 and with a direction to grant all other consequential benefits in terms thereof for which petitioner is entitled for.”

3. At the outset, learned counsel appearing on behalf of petitioner submits that the present writ petition is squarely covered by the **judgment dated 17.04.2025 passed in CWJC No. 17508 of 2021 (Pradip Kumar Yadav & Ors. Vs. The State of Bihar & Ors.)** and the same may be disposed of in light of the aforesaid case, wherein the order passed by the State Appellate Authority was set aside and quashed on the ground of non-fulfillment of quorum of the State Appellate Authority as per Rule 4(3) of the ***Bihar State School Teachers and***



Employees Disputes Redressal Rules, 2015.

4. Considering the aforesaid submission made on behalf of the petitioner, the impugned order dated 13.06.2019 passed in Appeal Case No.253 of 2019 by the Chairperson of the State Appellate Authority is hereby set-aside and quashed in light of the judgment dated 17.04.2025 passed in CWJC No. 17508 of 2021.

5. The matter is remitted back to the State Appellate Authority. The Chairman of the State Appellate Authority having jurisdiction must ensure to dispose of the appeal expeditiously, in accordance with law without being prejudiced by the order dated 13.06.2019 passed by the State Appellate Authority in Appeal Case No.253 of 2019.

6. Accordingly, the present writ petition stands disposed of.

(Purnendu Singh, J)

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