

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.258 of 2024

In

Civil Writ Jurisdiction Case No.6878 of 2019

Binod Kumar Bimal Son of Ganesh Prasad Sah Resident of Gram Panchayat Kundah, P.S.- Mahishi, District- Saharsa, presently Panchayat Teacher, Navsrijit Primary School, Pranpur, Musahari Tola, Gram Panchayat Kundah, Police Station- Mahishi, District- Saharsa.

... .. Appellant

Versus

1. The State of Bihar through the Principal Secretary to the Government Human Resources Development Department, Govt. of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The District Magistrate, Saharsa.
4. The District Teachers Appointment Appellate Tribunal, Saharsa, District- Saharsa.
5. The District Education Programme Officer (Establishment), Saharsa, District- Saharsa.
6. The Block Development Officer, Mahishi, Saharsa, District- Saharsa.
7. The Block Education Officer Extension Officer, Mahishi, Saharsa, District- Saharsa.
8. The Mukhia, Gram Panchayat, Kundah, P.S.- Mahishi, District- Saharsa.
9. The Panchayat Secretary, Gram Panchayat Kundah, Police Station- Mahishi, District- Saharsa.
10. Anil Kumar Choudhary, Son of Bhim Nath Choudhary Resident of Village and P.S.- Mahishi, District- Saharsa.

... .. Respondents

Appearance :

For the Appellant/s : Mr. Brisketu Sharan Pandey, Advocate
For the Respondent/s : Mr. AC to AAG-13

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 08-10-2025 Heard the learned counsel for the appellant for
sometime.



2. On instruction, it is submitted that certain fresh cause of action has accrued to the appellant in so far as challenging inaction on the part of the official respondents. Therefore, one has to draw inference that fresh cause of action is required to be agitated in the first course of instance under writ jurisdiction.

3. In the light of these facts and circumstances, the appellant is permitted to withdraw the present LPA.

4. Accordingly, the present LPA stands dismissed as withdrawn reserving liberty to assailed consequential action notified by the official respondents, strictly in accordance with law.

(P. B. Bajanthri, CJ)

(Alok Kumar Sinha, J)

Shahnawaz/-

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