

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1039 of 2023

In

Civil Writ Jurisdiction Case No.12835 of 2022

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Dukhan Lal Yadav, S/o Late Vasudev Prasad Yadav, Resident of Village-Dharhara, Ward No. -003, P.O.-Supaul, District-Supaul (Bihar), Pin Code-852109.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary, Government of Bihar, Old Secretariat, Patna-800001.
3. The Commissioner-cum-Principal Secretary, Department of Education and Human Resources, Government of Bihar, New Secretariat, Bihar, Patna.
4. The Director, Primary Education, Government of Bihar, New Secretariat, Bihar, Patna.
5. The District Magistrate, Supaul, Bihar.
6. The District Programme Officer (Establishment), Supaul, Bihar.
7. The Superintendent of Education, Supaul, Bihar.
8. The District Education Officer, Supaul, Bihar.
9. The Block Education Officer, Raghapur, District-Supaul (Bihar).
10. The Drawing and Disbursement Officer Madhya Vidyalaya, Raghapur, District-Supaul (Bihar).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.
For the Opposite Party/s : Mr. Narendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 12-09-2025

Re.:- I.A. No.1 of 2023

Learned Advocate for the respective parties are present.

2. At the outset, learned Advocate for the petitioner



submitted that during the pendency of the present application, the sole petitioner died leaving behind his legal heirs/representative and, as such, an interlocutory application bearing I.A. No.1 of 2023 has been filed for substituting the name of legal heirs, the particulars of which has been duly mentioned in para-4 of the interlocutory application.

3. In view thereof, I.A. No.1 of 2023 stands allowed.

4. Office is directed to make necessary correction in the cause title of the restoration application as well as in the writ application.

Re.:-M.J.C. No.1039 of 2023

5. The instant application has been filed for restoration of C.W.J.C. No.12835 of 2022, which stood dismissed for default due to non-compliance of the peremptory order dated 21.11.2022 by a Bench of this Court.

6. In view of the submissions advanced and the grounds raised in the present application, the restoration application stands allowed. C.W.J.C. No.12835 of 2022 is restored to its original file subject to payment of a cost of Rs.500/- to be deposited with the Patna High Court Legal Services Committee.

7. The petitioner is directed to ensure compliance of



the order dated 21.11.2022 within a period of four weeks’ from today.

(Harish Kumar, J)

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