

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7929 of 2020**

Dayanand Singh, S/o Late Ravindra Singh, Resident of Village - Baghi  
Ekbara, P.O. - Baghi, P.S. Mufassil (Samastipur), Samastipur.

... .. Petitioner/s

Versus

1. The Union of India, through the Secretary, Department of Health and Family Welfare, Government of India, New Delhi.
2. The Secretary, Department of Health and Family Welfare, Government of India, New Delhi.
3. The All India Institute of Medical Sciences (AIIMS), New Delhi, through its Director.
4. The Director, All India Institute of Medical Sciences, New Delhi.
5. Dr. Shalini Mishra, Senior Resident, Department of PMR, All India Institute of Medical Science (AIIMS), New Delhi.
6. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
7. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
8. The Principal Secretary Health Department, Govt. of Bihar, Patna.
9. The Director, Health Department, Govt. of Bihar, Patna.
10. The Director, Primary Education, Govt. of Bihar, Patna.
11. The District Magistrate Samastipur, District Samastipur.
12. The District Education Officer, Samastipur, District- Samastipur.
13. The Civil Surgeon - Cum - Chief Medical Officer, Samastipur, District - Samastipur.
14. The District Programme Officer, Establishment (Education), Samastipur, District- Samastipur.
15. The Block Development Officer, Ujiyarpur, District - Samastipur.
16. The Block Education Officer, Ujiyarpur, District- Samastipur.
17. The Panchayat Secretary, Gram Panchayat Raj - Chaita, North, Block - Ujiyarpur, District- Samastipur.
18. The Mukhiya, Gram Panchayat Raj- Chaita North, Block - Ujiyarpur, District- Samastipur.
19. Kundan Kumar, S/o Sri Balram Tiwari, R/o Village - Gohi, P/o - Gohi, P.s.- Warisnagar, District- Samastipur.

... .. Respondent/s

**Appearance :**

|                        |   |                                  |
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| For the Petitioner/s   | : | Mr.Mrityunjay Kumar, Advocate    |
| For the Respondent/s   | : | Mr.Abhay Shankar Singh, Advocate |
| For the Union of India | : | Ms.Punam Kumari Singh, Advocate  |
|                        |   | Ms.Rinki Kumari, Advocate        |



**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

11    08-04-2025                      Heard Mr. Mrityunjay Kumar, learned counsel appearing on behalf of the petitioner; Mr. Abhay Shankar Singh, learned counsel for the respondents and Ms. Punam Kumari Singh along with Ms. Rinki Kumari, learned counsels appearing on behalf of Union of India.

2. This Court, vide order dated 27.01.2025 passed in the instant case, had directed the Superintendent, Patna Medical College and Hospital (PMCH) to get examined the petitioner and the respondent no.19 to ascertain the *percentage* of disability suffered by them by fixing a date of their examination by a Medical Board within two weeks and report to this Court on or before the next date of hearing.

3. It has been informed by Mr. Mrigendra Kumar, learned counsel appearing on behalf of the State by filing a supplementary counter affidavit that the Medical Board duly constituted consisting of three Members and the Chairman have found that the respondent no.19 has 30 % disability. So far as the petitioner is concerned, he is suffering from 50 % physical impairment.

4. In view of the report brought on record by the State by way of *Annexure 'R/A'* along with the letter no.1181 dated



01.03.2025, the order dated 25.02.2020 passed by the Judicial Member-cum-Chairperson of the State Appellate Authority is set aside in view of the report dated 10.02.2025 of the Medical Board in respect of the petitioner and the respondent No.19 and the State Appellate Authority is directed to pass a fresh order by giving due opportunity of hearing to the petitioner and the respondent no.19 in accordance with law.

5. It is made clear that the learned Tribunal must not delay in passing of order afresh considering the fact that the students must not suffer because of the fight between two teachers, which has occurred as a result of alleged illegal action of the District Programme Officer (Establishment), vide order dated 27.02.2021 contained in Memo No.01 issued by the Panchayat Secretary, Chaita North, Block Ujiyarpur, District Samastipur.

6. With the above observation/direction, the present writ application stands disposed of.

7. Interlocutory Application No.1 of 2023 shall also stands disposed of.

**(Purnendu Singh, J)**

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