

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1640 of 2024

In

Civil Writ Jurisdiction Case No.8402 of 2015

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1. Indranand Rai Son of Late Janardan Rai Resident of Village and P.O. and P.S.- Bangaon, District- Saharsa, at present residing at Laxminath Nagar, Ward No. 13, Saharsa Municipal Corporation, P.O.- Katra, P.S. and District- Saharsa.
 2. Ratan Kumar Rai, Son of Indranand Rai and Malti Devi, Resident of Village and P.O. and P.S.- Bangaon, District- Saharsa, at present residing at Laxminath Nagar, Ward No. 13, Saharsa Municipal Corporation, P.O.- Katra, P.S. and District- Saharsa.
 3. Sanjeev Kumar Rai, Son of Indranand Rai and Malti Devi, Resident of Village and P.O. and P.S.- Bangaon, District- Saharsa, at present residing at Laxminath Nagar, Ward No. 13, Saharsa Municipal Corporation, P.O.- Katra, P.S. and District- Saharsa.
 4. Rajiv Nandan Rai, Son of Indranand Rai and Malti Devi, Resident of Village and P.O. and P.S.- Bangaon, District- Saharsa, at present residing at Laxminath Nagar, Ward No. 13, Saharsa Municipal Corporation, P.O.- Katra, P.S. and District- Saharsa.
 5. Niranjan Kumar Rai, Son of Indranand Rai and Malti Devi, Resident of Village and P.O. and P.S.- Bangaon, District- Saharsa, at present residing at Laxminath Nagar, Ward No. 13, Saharsa Municipal Corporation, P.O.- Katra, P.S. and District- Saharsa.
 6. Amrita Jha, Wife of Rohit Jha, Daughter of Indranand Rai and Malti Devi, Resident of Mohalla- Saharsa Kachahari, Ward No. 11, P.S. and District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The Regional Deputy Director of Education, Saharsa.
5. The District Education Officer, Saharsa.
6. The District Programme Officer (Establishment), Saharsa.

... .. Opposite Party/s

Appearance :



For the Petitioner/s : Mr. Pramod Mishra
For the Opposite Party/s : Mr. Akhileshwar Singh, AC to GA-2

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 25-04-2025 The present application has been filed for recall of the order, dated, 05.04.2024, passed in CWJC No. 8402 of 2015, which was dismissed as not pressed.

Learned counsel for the petitioners submits that it was due to the fault of petitioners' counsel that at the time the case was taken up it could not be pressed. He next submits that not pressing of the application, at the time of call, was neither deliberate nor intentional on the part of petitioner's counsel and he could not argue due to circumstance beyond his control. He further submits that the writ application was of 2015 and the file, in question, went missing in his office. On 05.04.2024, when the case was called out, Mr. Pramod Mishra, learned arguing counsel, was on leg and instructed his junior counsel to make prayer, however, somehow due to misconception the matter could not be argued by junior counsel.

Having heard learned counsel for the petitioners as well as the State and taking into consideration the submissions advanced by Mr. Pramod Mishra, learned arguing counsel for the petitioners, the order, dated 05.04.2024, passed in CWJC No. 8402 of 2015, is recalled.



Accordingly, this application is directed to be listed
before an appropriate bench “For Admission”.

(Anil Kumar Sinha, J)

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