

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.310 of 2022
In
Civil Writ Jurisdiction Case No.1692 of 2021

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Umesh Kumar Son of Late Dev Nandan, Resident of Mohalla-Balupar (Kurjee), P.O. Sadakat Ashram, P.S. Digha, District-Patna, at present resident of Village-Sonmai, P.O.-Sonmai, P.S.-Dhanarua, District-Patna.

... .. Appellant/s

Versus

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

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Prafull Chandra Jha, Advocate
For the Respondent/s : Mr. Ram Vinay Prasad Singh (AC to GA-XII)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

4 18-02-2025

Re:- I.A. No. 01 of 2022

Heard I.A. No. 01 of 2022. There is delay of about 60 days in filing the L.P.A. No. 310 of 2022.

2. For the reasons stated in the application read with affidavit, delay of about 60 days stands condoned. Accordingly, I.A. No. 01 of 2022 is allowed.

Re:- L.P.A. No. 310 of 2022

3. Appellant has assailed the order of learned Single Judge dated 22.03.2022 passed in C.W.J.C. No. 1692 of 2021. The learned Single Judge has committed error in identical



matter in the case of Suresh Ram Vrs. The State of Bihar & Ors. (C.W.J.C. No. 5489 of 2020) which was subject matter of L.P.A. No. 255 of 2022 and connected L.P.A. Insofar as Suresh Ram L.P.A. is concerned which is numbered as L.P.A. No. 134 of 2022 and listed along with aforementioned L.P.A.

4. Having regard to the status of the appellant that he is a government servant, therefore, order dated 22.03.2022 passed in C.W.J.C. No. 1692 of 2021 is set aside in the light of decision dated 18.01.2023 passed in L.P.A. No. 255 of 2022.

5. Resultantly, the concerned authorities are hereby directed to readdress the grievance of the appellant. In this regard, appellant is permitted to file detailed representation insofar as his grievance is concerned within a period of three months from the date of receipt of this order. Thereafter, the concerned authorities are directed to decide the appellant's representation within a period of one month.

6. Pending I.A.(s), if any, stands disposed of.

(P. B. Bajanthri, J)

(Sunil Dutta Mishra, J)

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