

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1286 of 2018
In
Civil Writ Jurisdiction Case No.17213 of 2017

Md. Sajid Alam Son of Md. Basarat (Wrongly Stated as Dasarat in the Impugned Order and Writ Petition), Resident of Village and Post- Jamahara, P.S.-Sour Bajar, Distirct-Saharsa.

... .. Appellant

Versus

1. Md. Sahabuddin, Son of Md. Imamuddin, Resident of Village and Post-Jamahra, P.S.-Sour Bajar, District-Saharsa.
2. The State of Bihar Through the Principal Secretary, Human Resources Development Department, Bihar,
3. Director, Jan Siksha Nideshalaya, Bihar, Patna.
4. District Magistrate, Saharsa.
5. The District Programme Officer, Literacy, Saharsa.
6. Block Development Officer, Patarghat, P.S.-Sour Bajar, District-Saharsa.
7. Block Education Officer, Patarghat, P.S.-Sour Bajar, District-Saharsa.
8. Chairman, Vidyalaya Siksga Samiti Utkramit Middle School, Jamhara, P.S.-Sour Bajar and District- Saharsa.
9. Head Master, Utkramit Middle School, Jamhara, P.s.-Sour Bajar and District Saharsa.

... .. Respondents

Appearance :

For the Appellant/s : Mr.Arun Kumar Jha, Advocate
For the Respondent/s : Mr.S.S. Tiwary, AC to AAG-15

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 25-08-2025

The Appellant has assailed the order of the learned Single Judge dated 02.05.2018 passed in C.W.J.C. No. 17213 of 2017. One of the contention raised by the Appellant is that he has not been heard by the learned Single Judge while passing order on 02.05.2018. In order to ascertain whether notice has been issued to the Appellant in C.W.J.C. No. 17213 of 2017, we



have perused the order-sheet of C.W.J.C. No. 17213 of 2017. Writ petition was filed on 22.11.2017, for the first time, it was listed on 02.05.2018, the date on which the Writ petition was allowed without providing opportunity of hearing to the contesting Respondent No. 9 – Md. Sajid Alam, who is Appellant herein. In view of these facts and circumstances, the learned Single Judge has committed error in not hearing the Appellant – Md. Sajid Alam. Accordingly, order of the learned Single Judge dated 02.05.2018 passed in C.W.J.C. No. 17213 of 2017 stand set aside. Whatever the consequential order passed by the official Respondents are directed to cancel, subject to outcome of C.W.J.C. No. 17213 of 2017.

2. C.W.J.C. No. 17213 of 2017 stands restored on the file. Registry is hereby directed to list C.W.J.C. No. 17213 of 2017 before the concerned roster Bench.

3. Accordingly, the present L.P.A. No. 1286 of 2018 stands allowed. Pending I.As., if any, stands disposed of.

(P. B. Bajanthri, J)

(Shailendra Singh, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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