

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.426 of 2022

In
Civil Writ Jurisdiction Case No.1929 of 2021

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Raju Kumar Son of Hari Shankar Prasad Resident of Village-Dubey
Tola, Shiv Mandir road, P.S. Bagaha, District-West Champaran.

... .. Appellant/s

Versus

1. The State of Bihar through its Principal Development, Department (Education), Patna.
2. The Principal Secretary, Human Resources Development, Government of Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The District Project Officer (Establishment), Bettiah.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Shailendra Kumar Singh, 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)

5 18-02-2025

Re:- I.A. No. 01 of 2024

Heard I.A. No. 01 of 2024. There is delay of about
117 days in filing the L.P.A. No. 426 of 2022.

2. For the reasons stated in the application read with
affidavit, delay of about 117 days stands condoned. Accordingly,
I.A. No. 01 of 2024 is allowed.

Re:- L.P.A. No. 426 of 2022

3. Appellant has assailed the order of learned Single
Judge dated 22.03.2022 passed in C.W.J.C. No. 1929 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 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. 1929 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 redress 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 the 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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