

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.626 of 2024

=====

Nargis Firdaus Wife of Md. Meraj, Daughter of Md. Firoj Ahmad, Resident of Village - Azimabad Colony, P.S. - Sultanganj, District- Patna. Permanent resident of village - Kurudih, P.O. - Badluchak, P.S. - Goradih, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. The Director, Primary Education, New Secretariat, Patna.
3. The District Education Officer, Vaishali, Hajipur.
4. The District Programme Officer, (Establishment), Vaishali, Hajipur.
5. The Block Development Officer cum Secretary, Block Teachers Selection Committee, Sahdei Bujurg, District- Vaishali, Hajipur.
6. The Block Education Officer, Sahdei Bujurg Block, District - Vaishali, Hajipur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Rashid Izhar, Advocate
For the Respondent/s : Smt. Binita Singh, SC-28

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-01-2025 Heard learned counsel for the parties.

2. The present application has been filed for quashing the order dated 06.07.2023 passed by the State Appellate Authority, Bihar, Patna whereby the learned Appellate Authority has dismissed the application filed by the petitioner on the ground that LPA No. 1086 of 2018 is pending before this Court.

3. Learned counsel appearing on behalf of the petitioner submits that the LPA No. 1086 of 2018 was dismissed on 29.11.2019 and till date the same has not been restored and is



still in the condition of dismissal as such it can be said that no LPA is in existence or is pending before this Hon'ble Court. Moreover, order passed by the State Appellate Authority dated 31.08.2021, passed in Appeal No. 35 of 2022 has not been modified or stayed by any superior authority or by this Hon'ble Court.

4. It is settled law that unless and until an order, which is to be executed, is stayed or modified, the said order is required to be executed by the competent authority.

5. Considering the aforesaid facts and circumstances, this writ petition is allowed and the order dated 06.07.2023 passed by the State Appellate Authority is set aside with direction to the State Appellate Authority to proceed in the matter and dispose of the same in accordance with law.

6. With the aforesaid observations and directions, this writ application is disposed of.

(Anjani Kumar Sharan, J)

priyanka/-

U			
---	--	--	--

