

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16091 of 2016

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1. Sitaram Singh and Ors Son of Late Ram Prasad Singh Resident of Village and P.O. koari Madan, P.S.-Majorganj, District-Sitamarhi
 2. Liyakat Mansoori Son of Late Indrajeet Mansoori Resident of Village and P.O. Dumri Khurd, P.S. Majorganj, District-Sitamarhi
 3. Khobhasi Singh Son of Late Suraj Singh Resident of Village-Barahi Hari Ram P.O. Dumri Khurd, P.S. majorganj, District-Sitamarhi
 5. Subh Narayan Mahto Son of Late Paldhari Mahto Resident of Village-Bhalohiya, P.O. Dumri Khurd, P.S. Majorganj, District-Sitamarhi
 6. Chandradev Singh Son of Late Sonphi Singh Resident of Village-Dangraha, P.O. Dumri Kala, P.S. Majorganj, District -Sitamarhi
 7. Shankar Jha Son of Late Brahmdev Jha Resident of Village- P.O. Madhopur, P.S. Majorganj, District-Sitamarhi
 9. Mahendra Mistri Son of Late Sahbir Mistri @ Sahbir Mahto Resident of Village and P.O. P.S.-Majorganj, District-Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director, Primary Education, Education Department, Vikash Bhawan, New Secretariat, Patna.
3. The District Officer, Sitamarhi, District-Sitaamarhi

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Advocate
For the Respondent/s : Mr. Madhaw Pd. Yadav- Gp23

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

11 29-01-2026 Heard learned counsel for the petitioners and
learned counsel for the Respondent-State.

2. Learned counsel for the petitioners submits that
petitioner no. 3, petitioner no. 5 and petitioner no. 7 have died
during the pendency of the case and nobody is coming forward
for their substitution.



3. In such situation, the present writ application will be deemed to have been abated *qua* petitioner nos. 3, 5 and 7.

4. With regard to petitioner nos. 1, 2,6 and 9, learned counsel for the petitioners submits that he is prepared to file a fresh representation before the Director Primary Education Department, Government of Bihar, Patna and prays that an appropriate direction be issued to the Director Primary Education to dispose of the representation within a fixed time frame after giving an opportunity of hearing to the petitioners.

5. To the aforesaid submission made by the learned counsel for the petitioners, learned counsel appearing for Respondent-State does not have any objection.

6. Considering the limited nature of prayer made by learned counsel for the petitioner nos. 1,2, 6 and 9, this writ application is disposed of granting liberty to the petitioner to file a representation before the Director Primary Education Department, Government of Bihar, Patna within one month from the date of this order. If such a representation is filed, the Director, Primary Education Department shall dispose of the same within a period of six months from the date of the receipt of the representation after giving an opportunity of hearing to the petitioners. The final order which shall be passed should be



a reasoned and speaking order. It is further made clear that in case the petitioners are found entitled to the relief which the petitioners would be claiming through the representation then the same should be extended to the petitioners within three months from the date of passing of the final order by the authority concerned.

7. With the aforesaid observation, directions and liberty granted, the present writ application is disposed of. All pending Interlocutory Applications, if any, will be deemed to have been disposed of.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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