

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5235 of 2018

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Ramesh Kumar son of Sri Bisheshwar Prasad Yadav, resident of Village and P.O.- Mirchaibari, Police Station- Jankinagar, District- Purnea.

... .. Petitioner

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The District Education Officer, Purnea.
4. The Block Education Officer, Banmankhi, District- Purnea.
5. The Mukhiya, Gram Panchayat, Gangapur under Banmankhi Block, District- Purnea.
6. The Panchayat Secretary, Gram Panchayat, Gangapur under Banmankhi Block, District- Purnea.
7. Sheo Shankar Kumar, son of Arjun Kumar, resident of Village and P.O.- Mirchaibari, Police Station- Jankinagar, District- Purnea.
8. Sadanand Poddar, Son of Bhola Poddar, resident of Village- Chandipur Bhangra, Police Station- Jankinagar, District- Purnea.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Gyanand Roy, Advocate
For the Respondent/s	:	Mr. A.R. Pandey, Aag-15
	:	Mr. S.S. Tiwary, AC to AAG-15

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

7 16-01-2026 Heard learned counsel for the petitioner and learned counsel appearing for the Respondent-State.

2. In the present writ application, the petitioner has challenged the order dated 09.02.2018 passed by the Chairperson, State Appellate Authority, Education Department, Bihar, Patna in Appeal Case No. 284 of 2017 (Annexure-P/1).

3. Learned counsel for the petitioner as well as the learned counsel for the Respondent-State has brought to the notice of this Court that during the pendency of the writ application, final order has already been passed by the State Appellate Authority, Education Department, Bihar, Patna in



Appeal Case No. 284 of 2017 and the said final order is against the petitioner, which the petitioner has challenged by filing another writ application bearing CWJC No. 14629 of 2018 which is currently pending adjudication before this Court.

4. Learned counsel appearing for the petitioner, therefore, submits that in view of the above development which has taken place during the pendency of the writ application, this writ application be tagged along with CWJC No. 14629 of 2018.

5. However, learned counsel for the Respondent-State strongly opposes the prayer made by learned counsel for the petitioner by submitting that interim order which is under challenge in the present writ application has now merged with the final order which has been passed by the Chairperson, State Appellate Authority, Education Department, Bihar, Patna in Appeal Case No. 284 of 2017 (Annexure-P/1) and since the same is already under challenge in another writ application, therefore, the present case has become infructuous and it should accordingly be dismissed.

6. After hearing the submissions made by both the parties, this Court is of the view the interim order which has been under challenge in the present writ application has already merged with the final order which has been passed by the



Chairperson, State Appellate Authority, Education Department, Bihar, Patna in Appeal Case No. 284 of 2017 (Annexure-P/1) and since the final order is already under challenge in another writ application bearing CWJC No. 14629 of 2018, therefore, the present writ application so far as it relates to challenging the interim order has become infructuous.

7. In view of above reasons, the present writ application is dismissed as having become infructuous with liberty to the petitioner to raise all issues in the pending writ application bearing CWJC No. 14629 of 2018.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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