

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3047 of 2018

Ram Chandra Rai, S/o Late Banshi Prasad, Abheyash Middle School,
Nawada, at+P.S.+District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Commissioner, Magadh Division, Gaya.
3. The Regional Deputy Director of Education, Magadh Division, Gaya.
4. The Lok Sikayat Niwarn Padadhikari, Nawada.
5. The District Education Officer, Nawada.
6. The Personal Secretary, Divisional Commissioner, Magadh Division, Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Singh
For the Respondent/s : Smt. Binita Singh- SC28

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 23-02-2018 The respondents are directed to file counter affidavit within a period of six weeks specifically meeting the averments made in the writ petition.

In the event the counter affidavit is found evasive or replies are not specific then the court may proceed in accordance with the principles laid down by the Apex Court in the case of Smt. Naseem Bano Vs. State of U.P. and Others: AIR 1993 SC 2592. The petitioners shall file reply to the counter affidavit within one week thereafter.

It goes without saying that by filing the counter affidavit the respondents may raise the plea of



maintainability, alternative remedy and delay and laches.

Prima facie the court is of the view that the order contained in Annexure-3 and 8 are contrary to law and as such the order contained in Annexure-3 and 8 shall remain stayed until further orders.

Put up after eight weeks.

(Anil Kumar Upadhyay, J)

Ravi/-

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