

GP/6
29/7/13

6

IN THE HIGH COURT OF JUDICATURE AT PATNA.

(Miscellaneous Judicial Jurisdiction Case)

M.J.C.No.-----of 2013.

(Arising out of C.W.J.C.No.11285 of 2013.)

Suresh Kumar Singh-----Petitioner.

Versus

The State of Bihar and others-----Opposite Parties.

I N D E X.

<u>Sl. No.</u>	<u>Particulars.</u>	<u>Pages.</u>
1.	Petition with Affidavit.	1 to 5.

IN THE HITH COURT OF JUDICATURE AT PATNA.

(Miscellaneous Judicial Jurisdiction Case)

M.J.C.No.-----of 2013.

(Arising out of C.W.J.C.No.11285 of 2013.

In the matter of an application
Under Article 226 of the
Constitution of India.

And

In the matter of:-

Suresh Kumar Singh, son of Uma Kant Singh, resident of village Digghi,
Post Digghi, Police Station Murliganj, District Madhepura.

-----Petitioner.

Versus

1. The State of Bihar through the Principal Secretary, Department of
(Primary) Education, Govt. of Bihar, Patna.

2. The Member District Teacher Employment Appellate Authority,
Madhepura.
3. The Block Development Officer, Murliganj, Madhepura.
4. The Block Education Officer, Murliganj, Madhepura.

-----Respondents/Opposite Parties.

To,

The Hon'ble Ms. Justice Rekha M. Doshit, the Chief Justice of the
High Court of Judicature at Patna and her companion Justices of
the said Hon'ble Court.

The humble petition on behalf of
the petitioner abovenamed.

MOST RESPECTFULLY SHEWETH:-

1. That this is an application for restoration of the C.W.J.C.No.11285
of 2013 which was dismissed for non prosecution on 20.06.2013
by the respective Bench presided over by the Hon'ble Mr. Justice
Mihir Kumar Jha.
2. That the aforesaid writ petition has been filed by the petitioner
for quashing the order dated 08.12.2012 passed in Appeal

No.195/11-12 (Suresh Kumar Singh Versus Block Education Officer, Murliganj) passed by the District Teacher Employment Appellate Authority Madhepura, by which the claim of petitioner for appointment on the post of Block Teacher under physical handicapped category has been rejected.

3. That it is respectfully and humbly submitted that on 20.06.2013 the case was listed before the Lordships under heading of admission at Sl.No.-----43----- at-----2.15 pm----- list.
4. That it is respectfully and humbly submitted that on that day advertently by mistake of counsels clerk the cause ^slit_^ was not properly marked and due to bonafide mistake when the case was called out the counsel could not present before the Hon'ble Court and resulting the same the said case was dismissed for non prosecution.
5. That the matter relates to selection of Block Teacher for desirable candidates in Murliganj Block under Madhepura District.
6. That, there is good merits in the case in case if the aforesaid case is not restore to its original file the petitioner shall be put in irreparable loss.

7. That, the petitioner has not filed any restoration application earlier in this case.

It is, therefore, prayed that Your Lordships may kindly be pleased to accept this application and restore the case of C.W.J.C.No.11285 of 2013 to its original file.

And/Or

To pass such other order or orders as Your Lordships may deem fit and proper.

And for this the petitioner shall ever pray.

AFFIDAVIT.

I, Ram Kishore aged about 42 years son of Sri Sidheshwar Singh, resident of Mohalla Saristabad, Police Station Gardanibagh, District Patna, do hereby solemnly affirm and state as follows:-

1. That I am Advocate clerk in this case and as such am well acquainted with the facts and circumstances of the case.
2. That the contents of this application have been read by me which I have understood and they are true to my knowledge and belief.