

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1242 of 2012

IN

Civil Writ Jurisdiction Case No. 6167 of 2007

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Narendra Kumar Son Of Sri Ram Navami Singh Resident Of Village Dhurgaon,
P.S. Madhepura, District Madhepura, At Present Residing At And P.O. Gokula,
District - Muzaffarpur

.... Appellant

Versus

1. The State Of Bihar
2. Deputy Development Commissioner, Muzaffarpur, District - Muzaffarpur
3. District Superintendent Of Education, Muzaffarpur
4. Deputy Superintendent Of Education, Muzaffarpur
5. Block Education Extension Officer, Mushahai, District - Muzaffarpur
6. Area Education Officer, Saraiya, District - Muzaffarpur

.... Respondents

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Appearance :

For the Appellant : Mr. Walliur Rahman, Advocate.

For the Respondents : Mr. Mrigendra Kumar, AC to GA 11.

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

and

HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

Date: 19-02-2015

We have heard both the learned counsel for the writ petitioner/appellant and the learned counsel for the State.

The writ petitioner had challenged the order of the District Superintendent of Education dated 10.11.2006 by which while revoking the suspension he virtually passed order of punishment in the departmental proceedings. Later, on 18.11.2006 fresh memo of charges were served. Both these was challenged in the writ petition.

The writ Court held that the order of punishment dated

10.11.2006 would not be sustained, inasmuch as, there is no discussion nor any reason in support thereof. Thus, the order of punishment dated 10.11.2006 was set aside and the matter has been remanded to the District Superintendent of Education, Muzaffarpur to proceed against the petitioner in terms of memo of charge dated 18.11.2006.

Having considered the matter, in our view, the learned single Judge has committed no error in doing so. We, therefore, find no merit in this appeal. It is accordingly dismissed.

(Navaniti Prasad Singh, J)

Abhay/-

(Jitendra Mohan Sharma, J)

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