

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Letters Patent Appeal No.1413 of 2012  
IN  
Civil Writ Jurisdiction Case No. 12302 of 2012**

- =====
1. The State Project Director Bihar Education project Council, Patna.
  2. The Additional State Project Director, Bihar Education Project Council, Patna.

.... .... Appellants

Versus

1. Madan Kumar Verma, son of Saryug Mahto, resident of village – Bishanpur Barhawara, P.S. – Telhara, District – Nalanda.
2. Swarnlata Sinha, wife of Sanjay Shankar Vidyarthi, resident of village – Jhumati Kuard, P.S. – Paras Bigha Amayan, District – Jehanabad.
3. Nilam Kumari, D/o – Late Mahesh Ram, resident of mohalla – Gandhi Nagar, P.S. – Jehanabad, District – Jehanabad.
4. Nirmala Kumari, wife of Sudhir Paswan, resident of village – Ubari, P.S. – Ghosi, District – Jehanabad.
5. Kumari Anuradha Singh, wie of Shailendra Kumar, resident of village – Ghatkan, P.S. – Kako, District – Jehanabad.

-----Petitioner/Respondent 1<sup>st</sup> Set.

6. The State of Bihar through the District Magistrate, Jehanabad.
7. The District Magistrate-cum-Chairman, Bihar Education Project, Jehanabad.
8. The District Programme Officer, Sarva Shiksha Abhiyan, Jehanabad.
9. The District Education Officer, Jehanabad.

-----Respondents 1 to 4/Respondents 2<sup>nd</sup> Set.

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**Appearance :**

For the Appellants : Mr. Girijish Kumar, Advocate  
For the Respondents: Mr. Sanjay Kumar Singh, Advocate  
For the State : Mr. Ajay Kumar, AC to SC - 17

**CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH**  
**And**  
**HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**

**ORAL JUDGMENT**  
**(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)**  
**Date: 17-04-2015**

Having heard learned counsel for the Bihar Education Project Council, Patna, learned counsel for the private respondent who was writ petitioner and learned counsel for the State and having perused the order of learned Single Judge, we are not inclined to entertain this Intra-Court Appeal. The learned Single Judge has clearly held and we have no reason to disagree that the writ petitioner having been appointed could not have been removed. His appointment could not have been cancelled except by way of issuance of show cause to him and providing an opportunity of hearing.

We do not find any wrong in such an approach. Therefore, the order of the learned Single Judge requires no interference. This appeal is, accordingly, dismissed.

**(Navaniti Prasad Singh, J.)**

**(Jitendra Mohan Sharma, J.)**

*Rajeev/NAFR*

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