

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19066 of 2010

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Rajendra Ram S/O Late Sukal Ram R/O Vill.- Ramnagar, P.O.- Polytechnic, P.S.- K. Hat, Distt.- Purnea, At Present Posted As Headmaster Adarsh Middle School, Marnga, Anchal- Purnea East, Distt.- Purnea

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Primary Education, Government of Bihar, Patna
3. The Regional Dy. Director of Education Government of Bihar, Patna
4. The District Superintendent Of Education, Purnea, Distt.- Purnea
5. Arun Kumar Singh, Head Master Bal Middle School, Madhubani, Anchal - K. Haat, Distt.- Purnea

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra Mr. Harsh Patel Mr. Rajeev Ranjan
For the Respondent/s	:	Mr. Kamlesh Kr. Sharma A.C. to S.C. 22

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 09-01-2015 Heard Mr. Mishra for the petitioner and A.C. to S.C. 22 for the State.

A counter affidavit has been filed on behalf of the respondent affirmed by the Programme Officer, Purnia.

The petitioner is the Headmaster of Adarsh Middle school, Marnga within Purnea Block in the district of Purnea. He is aggrieved by the order dated 09.08.2010 (Annexure-3) passed by the Respondent District Superintendent of Education, Purnea whereby the Headmaster of Bal Middle School, Madhubani was designated as the Drawing and Disbursing Officer of Middle School Khuskibagh, Purnea East.

It is the contention of the petitioner that he being the senior most Headmaster of the school falling within Purnea Block

ought to have been designated as the Drawing and Disbursing Officer of the school which is running without a regular Headmaster. Such claim is rested on the circular of the government providing such mechanism.

Apparently, no legal right of the petitioner has been infringed by making such arrangement under the impugned order inasmuch as he has not been reduced in status prejudicial to his interest. In the counter affidavit the respondents have disclosed the reasons for passing the impugned order.

Be that as it may, since Mr. Mishra learned counsel for the petitioner has sought permission of this Court to withdraw this application in order to make appropriate representation in this regard before the District Superintendent of Education, this Court is not recording in detail the stand taken by the respondents in the counter affidavit.

Considering the request so made by Mr. Mishra, the application is permitted to be withdrawn with the liberty to the petitioner to approach the concerned authority ventilating the aforesaid grievance.

(Kishore Kumar Mandal, J)

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