

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17552 of 2015

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Asha Kumari Wife of Sri Dinesh Prasad, resident of village - Yarpur, P.S. - Hilsa,
District – Nalanda

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Government of Bihar, Patna.
2. The District Magistrate Cum District Officer, Nalanda at Biharsharif.
3. The District Education Officer, Nalanda at biharhsarif.
4. The District Programme Officer (Establishment), Nalanda at Biharsharif.
5. The Sub- Divisional Officer, Hilsa, District - Nalanda.
6. The Block Development Officer, Hilsa District - Nalanda.
7. The Block Education Officer, Hilsa District - Biharsharif.
8. The Nagar Executiion Officer, Nagar Parishad Hilsa, Nalanda.
9. The Pramukh, Hilsa Block District - Nalanda
10. The Mukhia, Gram Panchayat Raj, Yogipur, Hilsa, District - Nalanda.
11. The Panchayat Secretary, Gram Panchayat Yogipur Hilsa, District - Nalanda.
12. Sri Satish Prasad, Son of Sri Shymmlal Singh, Resident of Village - Naugarh,
P.O. - Asharhi, P.S. - Hilsa, District - Nalanda.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Bhola Kumar

For the Respondent/s : Mr. SATYA DEO KUMAR, SC 5

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL JUDGMENT

Date: 15-07-2016

The petitioner was initially appointed as Shiksha Mitra in Middle school, Yogipur, Hilsa, Nalanda. After coming into force of Bihar Panchayat Rules, she was confirmed as Panchayat Teacher under rule 20 of 2006 rules. Nine years thereafter vide letter, dated 3.10.2015 petitioner's service was cancelled by the BDO cum Secretary, Prakhand Shikshak Selection Unit, Hilsa, Nalanda.

Lerned counsel for the petitioner submits that the impugned order passed by the BDO is without jurisdiction. Besides, the same has been passed without giving her show cause.

In view of the aforesaid facts, the impugned order dated 3.10.2015, passed by the BDO cum Secretary, Prakhand Shikshak Selection Unit, Hilsa, Nalanda is not sustainable in law, which is set aside with liberty to the respondents to proceed afresh in accordance with law.

The writ petition is thus allowed to the extent indicated above.

Shashi.

(Samarendra Pratap Singh, J)

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