

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4390 of 2016

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Sanjay Kumar Son of Late Jhamendra Prasad, Resident of Village - Gambhari, P.S. - Baikunthpur, District - Gopalganj, presently posted as teacher Upgraded Middle School, Chiutaha, Anchal Baikunthpur, District - Gopalganj. Petitioner

Versus

1. The State of Bihar
2. The Director, Primary Education, Government of Bihar, Patna.
3. The Director, Secondary Education, Government of Bihar, Patna.
4. The Collector - cum - District Magistrate, Gopalganj.
5. The Additional Collector, Gopalganj.
6. The District Education Officer, Gopalganj.
7. The District Programme Officer, Gopalganj.
8. The Block Education Officer, Hathua, District - Gopalganj.
.... Respondents

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Appearance :

For the Petitioner/s : Mr. Naresh Prasad, advocate
For the Respondent/s : Mr. Anil Kumar Sinha- GA9

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

2 21-04-2016 The petitioner seeks quashing of order dated 6.2.2016 (Annexure 20), by which the District Education Officer, Gopalganj has suspended him, pending departmental proceeding on the allegation that the petitioner while posted as a teacher at Upgraded Middle School, Chiutaha, Baikunthpur, committed irregularities in distribution of scholarship, cycle and other items amongst the school students.

The petitioner has taken me to some factual aspects to demonstrate that his suspension has been passed on nonest ground.

Counsel for the State submits that the petitioner has the

remedy of appeal under the Bihar CCA Rules.

Having regard to the facts and circumstances of the case, the writ petition is disposed of with liberty to the petitioner to take resort to the remedy of appeal under the Bihar CCA Rules. In case such appeal is filed, the Appellate authority would dispose of the same within a period of three months of its filing. Delay in filing the appeal would be considered sympathetically, as the petitioner was pursuing the remedy before this Court.

Shashi.

(Samarendra Pratap Singh, J)

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