

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23038 of 2011

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1. Jairam Singh Sri Nand Keshwar Sharma Turturkhi, P.S. Konch, District Gaya

.... Petitioner/s

Versus

1. The State Of Bihar
 2. The Director Secondary Education Department, Budh Margh, Patna
 3. The Regional Deputy Director Of Education Trihut Division ,Muzaffarpur, District Muzaffarpur
 4. The District Education Officer, Sitamarhi, District Sitamarhi
 5. The Head Master Shohi Girl High School Sursond Sitamarhi, P.O. Sitamarhi, District Sitamarhi

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh
 For the Respondent/s : Mr. Parth Sharthi Sc10

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

4 09-02-2016 The petitioner seeks quashing of the order dated 8.5.2004 passed by the Director, Secondary Education, Bihar, Patna whereby he has been terminated from his service on the ground of his forged appointment.

Learned counsel for the petitioner submits that the impugned order has been passed in violation of principle of natural justice. Further more, he was not given any opportunity to present his case. In support of his submission, he has relied upon order dated 21.1.2009 passed in C.W.J.C.No.6744 of 2008 and order dated 1.7.2008 passed in C.W.J.C.No.15872 of 2007.

Having regard to the facts and circumstances of the case,



the impugned order is set aside with a direction to the Director, Secondary Education, Bihar, Patna to pass a fresh order after giving an opportunity to the petitioner to make his representation. Such order must be passed within a period of three months from the date of receipt/production of a copy of this order. The petitioner should file his representation within four weeks from today, failing which it would be open for the Director, Secondary Education to proceed in the matter ex parte and pass a fresh order in accordance with law.

With the aforesaid observations and directions, this writ application stands disposed of.

(Samarendra Pratap Singh, J)

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