

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.380 of 2017

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Kapil Kumar Jha Son of Sri Rajeshwar Jha Resident of Village-Jauki, P.S.-
Basopatti, District-Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director (Primary Education) Education Department govt. of Bihar, Patna
3. The Regional Deputy Director Darbhanga Commissionery Darbhanga
4. The District Education Officer, Madhubani
5. The District Programme Officer, (Establishment), Madhubani
6. The Block Development Officer, Basopatti, Madhubani.
7. The Block Education Officer, Basopatti, Madhubani.
8. The Panchayat Secretary Grampanchayat Chhatauni, Block Basopatti,
District-Madhubani
9. The Headmaster Upgraded Girls Middle School Jauki Basopatti, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Maya Shankar Mishra, Advocate
For the Respondent/s	:	Smt Binita Singh SC 28
		Mr. Nishant Kumar Jha, AC to SC 28

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 05-12-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is aggrieved by inaction of the respondents
in the matter of accepting joining of the petitioner.

Counsel for the petitioner submits that the petitioner was
taken to custody in connection with a private dispute. After he
was released from the custody, he submitted his joining on
5.5.2012 and thereafter he approached the different authorities
of the Department but no decision was taken on the joining of
the petitioner. He referred to Annexure-5 series to indicate that



his representation to different authorities for final decision on his joining is pending and despite specific direction of the Regional Deputy Director of Education, Darbhanga no response was taken one way or the other by the respondents as contained in Annexures-5 series including dated 7.1.2016 and 23.7.2016.

It appears that the RDDE has already issued direction to the Block Education Officer, Basopatti to enquire into the matter and submit a report to the District Education Officer, Madhubani but no decision was taken with regard to joining of the petitioner and the matter is pending for last 5 long years.

From the annexures of the writ petition, it appears that the authorities have completed only formality by throwing the matter on one or the other and till date they have not taken any decision on the joining of the petitioner.

Without going into the merit of the claim of the petitioner as to the joining of the petitioner, the writ petition is disposed of with a direction to the District Programme Officer (Establishment), Respondent No. 5 to take immediate step in the matter of final decision on the representation of the petitioner.

Respondent No. 5 is directed to place the necessary documents before the concerned authorities of the Education Department/District Education Officer, Madhubani/ Regional



Deputy Director of Education, Darbhanga so that decision is taken at the earliest preferably within a period of sixty days from the date of receipt/production of a copy of this order.

With the aforesaid direction to the respondents, the writ petition is disposed of.

(Anil Kumar Upadhyay, J)

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