

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3714 of 2016

=====

Kumari Pravila wife of Shri Ram Nandan Prasad resident of Navratanpur,
P.O. - Postal Park, P.S. - Kankarbagh, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Education Department, Bihar, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. The Regional Deputy Director of Education, Patna Division, Patna.
4. The Regional Deputy Director of Education, Saran Division, Chapra.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Abhinav Srivastava

For the Respondent/s : Mr. Sriram Krishna, Adv. A.C.to S.C.11 for
State

=====

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL ORDER

3 14-12-2017 Heard learned counsel for the petitioner and State.

2. The petitioner has moved the Court for the following
reliefs :-

*“(i) Issuance of a direction, order or writ, including writ
in the nature of certiorari quashing the office order
dated 15.10.2015 bearing memo no.3041 (Annexure-24)
issued by the Regional Deputy Director of Education,
Patna Division, Patna by which in terms of the
provisions contained under Rule 14(x) of the Bihar
Government Servant (Classification, Control & Appeal)
Rules, 2005, the petitioner has been dismissed from the*



post of Assistant Teacher at the Government Basic School, Patna City, Patna under the Education Department of the State Government;

(ii) Issuance of a direction, order or writ including writ in the nature of mandamus commanding the concerned respondent authorities under the Education Department of the State Government not reinstate the petitioner as and Assistant Teacher in a Government Basic School in the services of Education Department of the State Government along with all consequential benefits;

(iii) Issuance of a declaration holding that the petitioner is entitled for reinstatement in the services as an Assistant Teacher in a Government Basic School under the Education Department of the State Government along with all the consequential benefits that she may be found to be entitled to and the action on part of the concerned respondent authorities is issuing the impugned office order dated 15.10.2015 bearing memo no.3041 (Annexure-24) is untenable in the eyes of law, the same being in blatant disregard and violation of Bihar Government Servant (Classification, Control & Appeal) Rules, 2005 as well as the principles of natural



justice;

(iv) Any other relief that the petitioner may be found to be entitled to in the facts and circumstances of the present case.”

3. At the very outset, the learned counsel for the petitioner submitted that she is similarly situated to Samir Kumar, petitioner of C.W.J.C. No.2874 of 2016 and analogous cases which were disposed of by a common judgment on 13.4.2017 by a coordinate Bench of this Court, by which the termination order has been set aside and they have been reinstated. It was submitted that the present case was also filed in near proximity of the said cases but unfortunately could not be tagged to the batch cases.

4. Learned counsel for the State does not dispute the aforesaid position.

5. In view thereof, the writ petition stands disposed off in similar terms to that of judgment dated 13.4.2017 passed in C.W.J.C. No.2874 of 2016 and analogous cases.

(Ahsanuddin Amanullah, J)

Sanjeev/-

U			
---	--	--	--

