

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18330 of 2014

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Ravis Mahato, son of Sheojanam Mahto, resident of village and post office Kewani via Garkha, Police Station Garkha, District - Saran at Chapra.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, New Secretariat Building, Patna.
2. Nagar Parishad, Chapra through its Executive Officer.
3. The Municipal Executive Officer, Municipal Council, Chapra.
4. The Head Master Laxmi Narayan Brahmin Uchcha Vidyalaya, Chapra.
5. Sita Mishra, W/o Durgesh Mishra R/o vill. - Jigna Misr P.O. Bhatni Bazar, District - Deoria (U.P.) retired Head Master Laxmi Narayan Brahmin Uchcha Vidyalaya, Chapra.

.... Respondents

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Verma, Advocate.
For the State : Mr. Archana..... G.P. 6 and Mr. Harish Singh,
A.C. to G.P. 6.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The following reliefs have been sought for by the
petitioner in the present writ application.

“1 That this is an application praying for issuance of a writ in the nature of certiorari or any other appropriate writ, order or direction for quashing the office order of the Municipal Council, Chapra, issued under the hand of the Executive Officer as contained in Letter No. 228 dated 21.07.2014 whereby and whereunder the petitioner’s selection/appointment to the post of Secondary Teacher has been cancelled in declaring him as disqualified for the



said post respecting the subject concerned inter-alia the following reliefs.

(i) The impugned decision of the respondent/s concerned be declared as without jurisdiction and so beyond the materials.

(ii) Respondents be directed to reinstate the petitioner in his School namely Laxmi Narayan Brahmin Uchcha Vidyalaya, Chapra.

(iii) The concerned respondent be directed to allow the petitioner to function as Secondary Teacher in considering his valid selection as made on the basis of the petitioner's due qualification and merit.

(iv) The respondents be directed to release the salary of the petitioner for the period he worked as Secondary Teacher and so for the period the petitioner compelled not to work.

(v) The respondents be directed to grant all the consequential benefits to the petitioner.

(vi) Erring respondents particularly respondent no. 4 be punished for their misdeed and misdemeanor in treating the petitioner's case with all arbitrariness".

Considering the reliefs as sought for by the petitioner in the present writ application, the petitioner is directed to prefer an appeal before the District Appellate Authority, Chapra, within a period of thirty days from the date of the order, which shall be disposed of in accordance with law, within the statutory period.

With the aforesaid observations and directions, the



present writ application stands disposed of.

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(Sudhir Singh, J)

