

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9106 of 2015

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1. Saroj Kumar son of Shri Surendra Paswan , resident of Village - of Sita Kund Hasanpur, Police Station & Post - Dariyapur, District - Munger.
 2. Dharmvir Kumar son of Sri Rajendra Paswan resident of village - Chamangarh, P.O.- Kala Rampur, P.S.- Naya Ramnagar, District- Munger.
 3. Amardip Paswan son of Sri Maheshwar Paswan resident of village - Rahmatpur, P.O.- Rahamatpur, P.S.- Asarganj, District - Munger.
 4. Narendra Kumar son of Sri Shivpujan Paswan resident of village- Khajuri, P.O.- Karpi, P.S.- Karpi, District- Arwal.
 5. Minhaj Alam son of Abdul Ghani resident of village- Ratanpura, P.O. & P.S. - Bhagwan Bazar , District- Saran (Chapra).
 6. Satya Prakash Manjhi son of Sri Kailash Ram resident of village- Pubi Dahyanwan Mission Road , P.O. & P.S.- Chapra, District - Saran (Chapra).
 7. Saroj Kumar Gupta son of Kedar Nath Sah resident of village - Tekniwas , P.O. & P.S.- Rivilganj, District- Saran (Chapra).
 8. Anil Kumar son of Binod Kumar resident of village- Chaklagrah , P.O. & P.S.- Vaishali , District - Vaishali,
 9. Sarita Kumari Daughter of Harihar Prasad Sah resident of village- Tekniwas, P.O. & P.S. - Rivilganj , District- Saran (Chapra).
 10. Arti Kumari Daughter of Kedar Sah resident of village- Tekniwas, P.O. & P.S. - Rivilganj , District- Saran (Chapra).
 11. Mukesh Kumar Sinha son of Sri Baijnath Prasad resident of village - khoridih, P.O.- Sauri Basti, P.S.- Kopa, District- Saran (Chapra).
 12. Arun Kumar son of Gonu Ram resident of village- Raghunathpur, P.O. - Chhitauni, P.S. - Musahari, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The State Project Director , Bihar Education Project Council , Shiksha Bhawan , Rashtrabhasha, Parishad Parisar, Saidpur, Rajendra Nagar, Patna- 800004.
3. The State Programme Officer (IED), Samaveshi Shiksha (Disability), Bihar Education Project Council , Shiksha Bhawan, Rashtrabhasha, Parishad Parisar, Saidpur, Rajednra Nagar Patna- 800004.
4. The Regional Deputy Director of Education , Saran Range, Chpara.
5. The District Education Officer, Saran at Chapra.
6. District Programme Officer (SSA) Saran at Chapra.
7. District Coordinator (IED), in the office of District Education Officer, Saran , at Chapra.
8. District Magistrate, Saran at Chapra.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Alok Kumar, Advocate
For the State	:	Mr. P. N. Shahi, AAG 6 with Mr. Manish Kumar, AC to AAG 6



For the Respondents No. 2 and 3 : Mr. Girish Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL ORDER

2 16-11-2017 Heard learned counsel for the petitioners, State and respondents no. 2 and 3.

2. The petitioners have moved the Court for the following reliefs:

“ That this is an application on behalf of petitioners for issuance of a writ of certiorari for quashing of the letter no. 8572 dated 22.12.2014 issued by the Respondent No. 2 to all the District Programme Officers (SSA) including the respondent no. 6 giving direction that those Resource Teachers/Rehabilitation Specialists appointed pursuant to the advertisement dated 22.10.212 be terminated from their posts who have not completed the CP-2 course within two years from their date of appointment as a result of which the petitioners are being terminated from their posts without any show –cause/explanation because the Respondent No. 6 has no option but to remove the petitioners in view of direction of the Respondent No. 2 and petitioners further pray for issuance of any other writ/writs, order/orders, direction/direction which the Hon’ble Court



may deem fit and proper.”

3. After some arguments, learned counsel for the petitioners submitted that in view of the stand taken in the counter affidavit filed on behalf of respondent no. 6 at paragraph no. 8, the writ petition may be disposed off with liberty to file an appropriate representation before the concerned authority which may be directed to consider their case.

4. Learned counsel for the State does not object.

5. In view thereof, the writ petition stands disposed off with liberty to the petitioners to make an appropriate representation, enclosing all the relevant materials, before the Competent Authority, who shall consider their case, in accordance with law, within a period of two months from the date of filing of the representation.

(Ahsanuddin Amanullah, J)

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