

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15535 of 2013

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Dharmendra Kumar Son Of Nathuni Pandit Resident Of Village- Degashi, P.S.-
Sidhawaliya, District- Gopalganj

.... Petitioner

Versus

1. The State of Bihar
2. The District Magistrate, Gopalganj
3. The Senior Deputy Collector, Gopalganj
4. The District Programme Officer, Literacy, Gopalganj
5. The District Education Officer, Gopalganj
6. The Principal, Utkarmit School, Larauli Panchayat, Block- Barauli, District- Gopalganj
7. The Block Education Officer, Barauli, District- Gopalganj
8. The Mukhiya, Gram Panchayat Raj, Larauli, Block- Barauli, District- Gopalganj
9. The Panchayat Secretary, Gram Panchayat Raj, Larauli, Block- Barauli, District- Gopalganj

.... Respondents

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Appearance:

For the Petitioner : Mr. Ranjan Kumar Srivastava, Advocate
Mrs. Rajni Gandha, Advocate

For the Respondents : AC to G.A. 10

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 10-07-2017

The present writ petition has been filed for quashing Memo No. 607 dated 10.12.2012 issued by the District Magistrate, Gopalganj, Letter No. 67 dated 13.06.2013 issued by the District Programme Officer, Literacy, Gopalganj and letter No. 559 dated 13.06.2013 issued by the Block Education Officer, Barauli, District Gopalganj whereby and whereunder selection of the petitioner for the post of Prerak in Gram Panchayat Larauli was cancelled; and to allow the petitioner to work on the post of Prerak in Utkarmit Middle School under Gram Panchayat Raj Larauli , Block Barauli, District Gopalganj.



2. Learned counsel for the petitioner submits that the cancellation of the petitioner’s selection on the post of Prerak in Gram Panchayat Larauli is arbitrary and illegal as such action has been taken without any show cause whatsoever, to the petitioner. It is therefore, submitted that such order of cancellation is unsustainable in law. It is submitted that representation dated 02.07.2013 for appropriate relief has already been filed before the District Magistrate, Gopalganj (Annexure-9) but the same however, remains pending.

3. Learned counsel for the State appears and has been heard. No counter affidavit has been filed on behalf of the State.

4. Having regard to the nature of the prayer of the petitioner, the writ petition is disposed of with a direction to the District Magistrate, Gopalganj (Respondent No. 2) to consider and dispose of the petitioner’s representation dated 02.07.2013, if pending, expeditiously and in any event preferably within a period of eight weeks from the date of receipt/production of a copy of this judgment after grant of an opportunity of hearing to the petitioner in accordance with law.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	11.07.2017
Transmission Date	N.A.

