

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19443 of 2015

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Mahendra Raut, aged about 40 years, Son of Late Jay Karan Raut, Resident of village - Parigawan, P.S. Pupri, Distt. - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna
2. The Director, Primary Education, Government of Bihar, Patna
3. The Superintendent of Police, Vigilance Department, Govt. of Bihar, Patna
4. The District Education Officer, Sitamarhi
5. The District Programme officer (Establishment), Sitamarhi
6. The Block Education Officer, Runnisaidpur, Sitamarhi
7. The Block Education Officer, Sursand, Sitamarhi
8. Sri Binayanand Pathak, Bihar, Patna, Presently posted as Inspector Police, Vigilance Department, Muzaffarpur, Camp - Sitamarhi

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 12-09-2017

Heard learned counsel for the petitioner, State and the
Vigilance.

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

“1. That this is an application for issuance of an appropriate writ, quashing the order dated 6/9/2015 passed by the District Education Officer, order of the Block Education Officer dated 24/11/2015 and the order of Block Education Officer dated 5/12/2015 by issuing appropriate writ and for directing the Respondents to pay salary of the petitioner which is due w.e.f. December 2014 and direct the Respondents not to disturb the petitioner from the post of Block Teacher. Copies of



the aforesaid orders has already been annexed as ANNEXURE-10,11 & 12 of the this writ application.

1.A That the impugned orders are totally without jurisdiction and in violation of principles of Natural Justice. The impugned orders are malafide action of the Respondents No. 8.”

3. After some arguments, learned counsel for the petitioner submitted that the writ petition be disposed off with liberty to move before the District Teachers Employment Appellate Authority, Sitamarhi (hereinafter referred to as the ‘Authority’).

4. Learned counsel for the respondents do not oppose.

5. In view thereof, the writ petition stands disposed off with liberty aforesaid.

6. If an appeal is filed before the Authority, within four weeks from today, the same shall be considered and disposed off on merits expeditiously and within the statutory period.

(Ahsanuddin Amanullah, J)

P. Kumar

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