

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1066 of 2016

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Dr. Ashok Kumar Singh, s/o Late Siyaram Singh, resident of Village and Police Station- Barahiya, District- Lakhisarai, presently posted as District Education Officer Rohtas at Sasaram.

.... Appellant/s

Versus

1. The State of Bihar.
2. The Principal Secretary Education Department Government of Bihar, New Secretariat, Patna.
3. The Director (Secondary Education) Government of Bihar, New Secretariat Patna.
4. The Deputy Director (Secondary Education) Government of Bihar, Secondary Education, Budh Marg Patna.
5. The Regional Deputy Director of Education, Patna Division, Patna.
6. Ajit singh S/o Baleshwar Singh resident of Village- Barani, P.S.-Charpokhari, District- Bhojpur.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar Singh

For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 01-11-2017

The appellant, who at the relevant time was working as District Education Officer, Rohtas at Sasaram is aggrieved by the direction issued by the learned Writ Court while disposing of the Civil Writ Jurisdiction Case No. 14545 of 2015 on 03.02.2016, issuing a direction to the Deputy Director and the Director, Secondary Education, Government of Bihar to suitably deal with the appellant and take action as he was found responsible for having created an unnecessary litigation, apart from the fact this observation adverse to



the appellant has been made without notice to the appellant and without hearing him.

From the circumstances that are available on record, we find that appellant was only posted in the area in question a month before the issue in question took place and there are materials to show that he complied with the directions of the Regional Deputy Director immediately when the issue was brought to his notice.

That being so, it is not necessary to take any action against the appellant and to that extent, relief has to be granted to the appellant.

Accordingly, this appeal of the appellant herein is allowed and the observations made against him and the directions for taking action are expunged and to that extent the order passed by the learned Writ Court on 03.02.2016 in Civil Writ Jurisdiction Case No. 14545 of 2015 stands modified.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06/11/2017
Transmission Date	NA

