

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2897 of 2017

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Umesh Kumar Singh Son of late Saryu Singh Resident of Village- Sahpur,
Police Station- Parasbigha in the District of Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The District Magistrate-cum-Collector, Jehanabad.
4. The District Panchayat Raj Padadhikari, Jehanabad.
5. The District Education Officer, Jehanabad.
6. The Block Development Officer, Ratni Faridpur in the district of Jehanabad.
7. The Block Education Officer, Ratni Faridpur in the district of Jehanabad.
8. The Gram Panchayat, Narayanpur under Faridpur Block in the district of Jehanabad through its Secretary.
9. The Secretary, Gram Panchayat, Narayanpur Under Ratni Faridpur Block in the district of Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar
For the Respondent/s	:	Mr. Madanjeet Singh- Gp20
For respondent no.9	:	Mr. Rajesh Dayal

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

6 09-04-2018 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

For the reasons stated in the I.A. No. 2680 of 2018,
the I.A. is allowed.

From perusal of Annexure-13 it is manifest that
respondent Panchayat Sachiv has passed order of termination of
the petitioner on 19.3.2018 with retrospective effect.
Termination with retrospective effect is not permissible and as
such the order contained in Annexure-13 is unsustainable.



Accordingly, the order contained in Annexure-13 dated 19.3.2018 is hereby quashed. However, quashing of the order will not disentitle the respondents from taking fresh decision in accordance with law. The respondents are also required in the meanwhile to work out the dues of the petitioner. In the event the petitioner has worked, necessary decision for payment of arrears would be passed by the respondents within a period of sixty days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

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