

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11928 of 2018

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Munna Kumar Thakur, son of Bal Krishna Thakur, resident of Mohalla-Pandey Tola, Narkatiyaganj, Police Station- Narkatiyaganj, District- West Champaran at Bettiah.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, New Secretariat, Patna.
2. The Principal Secretary, Department of Education, New Secretariat, Patna.
3. The Director Secondary Education, Budh Marg, Patna.
4. The District Education Officer, West Champaran at Bettiah.
5. The District Programme Officer (Secondary), West Champaran at Bettiah.
6. Bihari Lal Ram, Father name not known to the petitioner, resident of Village- Paroraha, Police Station- Sathi, District- West Champaran at Bettiah.

.... Respondents

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Appearance :

For the Petitioner : Mr. Sanjay Kumar, Advocate.

For the Respondents : Mr. Madanjeet Kumar, G.P. 20.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-08-2018 Heard learned counsel for the petitioner and learned counsel for the respondents.

The following reliefs have been sought for by the petitioner in the present writ application.

“1. That this is an application on behalf of the petitioner for issuance of a writ in the nature of certiorari to quash the order as contained in Memo No. 297 dated 04.05.2018, issued under the signature of the District Education Officer, West Champaran at Bettiah, whereby and whereunder the Respondent No. 6 has been wrongly declared incharge Head Master of the Govt. R.N.+2 High School,



Kehunia, Narkatiaganj, District-West Champaran (hereinafter referred to as 'School') and further to quash the consequential letter as contained in Memo No. 111 dated 15.05.2018 by which the Respondent No. 6 alongwith one another teacher were allowed to operate the bank account of the school and the further the petitioner prays for issuance of consequential writ in the nature of mandamus commanding and directing the respondent-authorities not to give effect to the aforesaid orders and also to restrain the respondent no.6 from the discharging the duty of incharge Head Master and/or for issuance of any appropriate writ/order/direction to which the petitioner may be found legally entitled to in the facts and circumstances of the present case as stated hereinafter.”

It has been submitted by learned counsel for the petitioner that the case of the petitioner is squarely covered by the orders passed by another Co-ordinate Bench of this Court in C.W.J.C. No. 7238 of 2011 dated 31.01.2012 and C.W.J.C. No. 9829 of 2009 dated 24.01.2011. The petitioner has further relied upon the office order as contained in Memo No. 1050 dated 06.07.2018, issued by the Deputy Secretary, Education Department, Government of Bihar, Patna.

The petitioner had filed a representation before the respondent no. 4, the District Education Officer, West Champaran at Bettiah for redressal of his grievance.



The respondent no. 4, the District Education Officer, West Champaran at Bettiah, is directed to examine the case of the petitioner in light of the orders passed in C.W.J.C. No. 7238 of 2011 dated 31.01.2012 and C.W.J.C. No. 9829 of 2009 dated 24.01.2011 and the office order as contained in Memo No. 1050 dated 06.07.2018, issued by the Deputy Secretary, Education Department, Government of Bihar, Patna, as relied upon by the petitioner and pass an appropriate order in accordance with law within a period of two months from the date of receipt/production of copy of this order.

With the aforesaid observations and directions, the present writ application stands disposed of.

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(Sudhir Singh, J)

