

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13532 of 2016

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Manju Kumari, W/o Late Radhey Shyam Singh, Resident of Village & Post -
Belsar, District - Vaishali at Hajipur

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Govt. of Bihar, Patna
2. The Joint Secretary, Education Department, Govt. of Bihar, Patna
3. The District Programme officer, Vaishali at Hajipur
4. The Block Development officer, Patedi Belsar
5. Gram Panchayat Niyojan Samittee through the Secretary, Gram Panchayat Raj Sorhatta, P.O. Anirudh Belsar, P.S. Belsar, District - Vaishali at Hajipur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Singh, Sr. Advocate
Mr. Rajeev Kumar Singh, Advocate

For the Respondent/s : Mr. Arvind Kumar, AC to GP23

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 15-05-2018

Heard learned counsel for the petitioner and State.

2. Mr. Rajendra Prasad Singh, learned senior counsel appearing on behalf of the petitioner submits that the petitioner was condemned unheard. In para 15 of the writ application, it has been categorically stated that no notice to show-cause and opportunity of hearing was provided by the respondents. He further submits that in view of the above the order, as contained in Annexure-1, cannot sustain.

3. Learned counsel for the respondents submits that the degree of the College was never recognized and, as such, the respondents have not committed any error in issuing Annexure-1.



4. In view of the undisputed fact that the order, as contained in Annexure-1, was passed without compliance of principles of natural justice, the order contained in Annexure-1 is hereby quashed. The respondents are required to give opportunity of hearing to the petitioner before taking any decision, which may visit evil and civil consequence. Fresh decision in this regard must be taken by the respondents after opportunity of hearing to the petitioner expeditiously. The consequential benefits on account of quashing of the order, as contained in Annexure-1, will abide by the final outcome of the fresh decision by the respondents.

5. The writ application is allowed to the extent mentioned hereinabove.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.05.2018
Transmission Date	

