

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3270 of 2011

Krishna Nandan Singh, son of late Ram Pukar Singh, resident of village-
Panjwar, P.O.-Panjwar, P.S.-Raghunathpur, District-Siwan, Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Bihar.
2. The Director, Secondary Education, Bihar, Patna High Court
3. The Principal Secretary, Department of Human Resources Development, Government of Bihar.
4. The District Education Officer, Siwan, District-Siwan, Bihar
5. The Principal, Kasturba Girls' High School, Panjwar, Siwan, Bihar
6. The then Secretary, School Managing Committee, Kasturba Girls' High School, Panjwar, Siwan, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Praphull Kumar Sinha
For the Respondent/s : Mr. Kumari Amrita Gp10

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 30-07-2018

Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is aggrieved by the decision of Director,
Secondary Education contained in Annexure-5 and the order of
the Secretary contained in Annexure-9.

The claim of the petitioner in the present writ
application is for approval of his service as teacher in the
Project Kasturba Balika Uchch Vidyalaya. The claim of the
petitioner was rejected by the Director and on appeal the



Secretary has also rejected the appeal.

Learned counsel for the petitioner referring to Annexure-6 and 7 submits that report of the District Education Officer, Siwan would indicate that the petitioner was working in the school in question but he was arbitrarily removed.

From the material available on record, it appears that on the date of inspection for the purpose of identifying the working teachers in terms of judgment of the Apex Court the petitioner was not found working and as such the respondents have not recognized the service of the petitioner.

Counsel for the petitioner submits that petitioner has undisputedly worked up to 2000 and arbitrarily he was removed in order to extend undue favour to blue eyed, in connivance with the Managing Committee of the School and petitioner's name was not included in the list of the employees in the school in question.

Considering claim and counter claim as to the working of this petitioner in the school in question, the Court is not in a position to adjudicate the factual aspect.

In view of the above, the Court is not inclined to grant any indulgence to the petitioner. The writ petition is accordingly, dismissed. However, liberty shall be available to



the petitioner to explore common law remedy before the competent civil court.

(Anil Kumar Upadhyay, J)

Ravi/-

AFR/NAFR	NAFR
CAV DATE	N/A
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