

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11410 of 2018

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Mount Byaski S/o Bijay Narayan Resident of Village - Barhonia, P.S. - Sangrampur, District - Munger at present posted as Assistant Teacher at Middle School Bhajaur, P.S. Jamui, District Jamui.

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Human Resources Development Department, Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The District Magistrate, Jamui.
5. The District Education Officer, Jamui.
6. The District Programme Officer (Establishment), Jamui.
7. The Drawing and Disbursing Officer cum Head Master Adarsh, P.D. School, Jamui.
8. The Treasury Officer, Jamui.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Respondent/s : Smt. Shilpa Singh -Ga12

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-07-2018 Heard the parties.

In the present writ application, the following relief has been sought for on behalf of the petitioners:-

- (i) For quashing the impugned order as contained in memo No. 428 dated 19-03-2018 issued by the District Programme Officer (Establishment), Jamui whereby and whereunder the salary of the petitioner has been directed to withheld



(stop) without any show cause notice which is against the principle of natural justice and violation of constitutional provision of as such the impugned order Article 19(1)(g), 21, and 23 of the Constitution as letter is not sustainable in the eye of law and the same is fit to be quashed.

(ii) Further after quashing the impugned order the respondents may be directed to pay the salary alongwith arrears of salary to the petitioner with immediate effect as the wife of the petitioner has been suffering from heart disease and study of children of petitioner are being effected.

(iii) To impose heavy cost upon the respondent No. 6 for his illegal act.

Considering the reliefs sought for in the present writ application, the petitioner is directed to file a fresh representation before the District Programme Officer (Establishment), Jamui (respondent No. 6) who shall consider the case of the petitioner and pass an appropriate order in accordance with law within a



period of three months from the date of receipt/production of copy of this order.

With the aforesaid observation and direction, this writ application stands disposed of.

(Sudhir Singh, J)

A.K.V./-

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