

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4527 of 2018

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1. Rajeev Ranjan, S/o Yugeshwar Prasad Nishad, resident of Village- Simra, P.O.- Srikant Simra, P.S.- Pear, District- Muzaffarpur, PIN- 843115.
 2. Rinky Kumari, D/o Vishwanath Sahni, resident of Village- Mustafapur, P.S.- Ahiyapur, District- Muzaffarpur, PIN- 842004.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. Principal Secretary, Department of Human Resources Development, Government of Bihar, Patna.
3. Commissioner of the Division, Tirhut Division, Muzaffarpur.
4. District Magistrate, Muzaffarpur.
5. Sub Divisional Officer (West)-cum- Authorised Inquiring Officer, Muzaffarpur.
6. Regional Deputy Director, Education, Tirhut Region, Muzaffarpur.
7. District Education Officer, Muzaffarpur.
8. District Programme Officer (Establishment), Muzaffarpur.
9. Block Education Officer, Bouchaha, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Amit Narayan Mr. Rajiv Kumar Smt. Nirmala Kumari, Advocates
For the Respondent/s	:	Mr. J.C. to JITENDRA KR. ROY NO. 1- SC13

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 30-03-2018 Heard learned counsel for the petitioners and the State.

Learned counsel for the petitioners places reliance on the
orders of this Court dated 14.11.2017 and 6.12.2017 passed in



LPA No. 501/2017 and CWJC No. 17837/2017. He submits that the orders impugned in the instant writ petition is designed to reach civil consequences without providing any opportunity of hearing.

The relevant part of the order passed in CWJC No. 17837 of 2017 dated 6.12.2017 runs as follows:

“In view of the decision of the Division Bench in LPA No. 501 of 2017 dated 14.11.2017, contained in Annexure-6, this writ application is disposed of with similar terms and direction to the respondents to proceed in accordance with law after reinstating the petitioners.

It is made clear that for the intervening period, no salary will be paid to the petitioners. The salary of the petitioners would depend upon the final outcome of the enquiry conducted by the respondents so far as it relates to petitioner nos. 4 and 5.

In view of the aforesaid, the writ petition stands disposed of so far as it relates to petitioner nos. 4 and 5.”

In view of the above, the instant writ petition is disposed of in the light of the orders contained in annexures 7 and 8 to the writ petition.

The order impugned in this writ petition as contained in Annexures 2 to 4 appear to be passed in teeth of the principles



of natural justice. As such the order as contained in Annexures 2 to 4 are quashed in similar terms.

With the aforesaid, the writ petition stands allowed and disposed of.

(Anil Kumar Upadhyay, J)

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