

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14250 of 2018

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Rajesh Kumar Bharti, Son of Late Brahamdev Das, Resident of Village-Khira Doh, Dumaria Buzurg, P.S.- Parbatta, District- Khagaria, at present posted as History Teacher in 10+2 Higher Secondary School Lohchi, Munger, P.S.- Haveli Kharagpur, District- Munger.

.... Petitioner

Versus

1. The State of Bihar through its Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna.
2. The Chief Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director of Secondary Education Department, Govt. of Bihar, Patna.
4. The Special Secretary, Education Department, Govt. of Bihar, Patna.
5. The Regional Deputy Director of Education Department, Munger Ranger Munger.
6. The District Education Officer, Munger.
7. Prem Kumar 'Hindi Teacher' at present posted as Incharge Principal of 10+2 Higher Secondary School Lohchi, Munger, P.S.- Haveli Khagarpur, District- Munger

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Jha

For the Respondent/s : Mr. Subhash Chandra Mishra - SC16

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-08-2018 Heard the parties.

Following reliefs have been sought for in the present writ application on behalf of the petitioner:

- (i) For setting aside the memo no. 510/Munger dated 28-05-2018 issued by the District Education Officer, Munger (respondent No. 6) by which the Respondent No. 6 pleased to set aside his previous memo no. 492/ dated 25-05-2018



and as such appointed respondent No. 7 as in-charge Principal in place of petitioner in 10+2 Higher Secondary School, Lohchi Munger ignoring the fact that petitioner is PGT teacher whereas respondent No. 7 is TGT teacher in concern school.

(ii) For setting aside the inducing memo no. 2253/dated 26-09-2017 issued by the respondent No. 4 (the Special Secretary, Education Department, Govt. of Bihar) by which respondent No. 4 under undue influence pleased to postpone the previous memo no. 11/Ni 01-04/2017-2018 issued from the office on 08-09-2017 with regard to the guideline for appointment on the post of in-charge Principal/Headmaster of the school in question of Bihar.

(iii) For issuance of direction to the authorities concern to expeditiously appoint the petitioner as in-charge Principal in concern school in place of respondent No. 7 considering the fact that the petitioner is



PGT teacher and his grade pay is higher than the respondent No. 7, whereas the respondent No. 7 is a TGT teacher.

(iv) For issuance of direction to the authorities concern to maintain parallel parameter for the appointment on the post of in-charge Principal/Headmaster of the school in question in Bihar.

(v) For issuance of direction to the respondents to consider the petitioner as a senior teacher with respect to respondent No. 7 in light of various rules, regulations and circular of the Bihar School Service Rules, KVS rules as well as Central School rules and regulation in our nation.

It has been submitted on behalf of the petitioner that for redressal of his grievance, the petitioner has filed a representation vide Annexure-12 to this application before the Regional Deputy Director of Education Department, Munger range, Munger (respondent No. 5) and the said representation is still pending.

The Regional Deputy Director of Education Department, Munger range, Munger (respondent No. 5) is



directed to dispose of the said representation of 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 observation/direction, the present writ application stands disposed of.

(Sudhir Singh, J)

A.K.V./-

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