

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3520 of 2019

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Raj Bansh Singh S/o Nawmi Singh Resident of Vill. and P.o.-Amaon, P.s. and Block- Chainpur, Distt.-Kaimur at Bhabhua, presently posted as Assistant Teacher in Sri Sri 108 Project plus 2 High School, Hata (Kaimur), Block-Chainpur, Distt.-Kaimur at Bhabhua

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, Patna
2. The Director Secondary Education, Bihar, Patna
3. The Regional Deputy Director of Education Patna Division, Patna
4. The District Education Officer Kaimur at Bhabhua
5. The Incharge Headmaster Sri Sri 108 Project High School, Hata (Kaimur) Block-Chainpur, Distt.- Kaimur
6. Umesh Kumar Sinha S/o not known presently posted as Secondary Science Teacher in Sri Sri 108 Project plus 2 High School, Hata (Kaimur) Block-Chainpur, Distt.- Kaimur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar
For the Respondent/s : Mr.Smt.Shilpa Singh (Ga12)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 25-02-2019

1. The present writ petition has been filed for seeking the following reliefs :

(i) A writ in the nature of certiorari setting aside the Memo no. 1022 dated 28.11.2018 issued from the level of Respondent no. 4 address to Respondent No. 5 restraining the petitioner from taking Science Practical Classes despite availability of Science teacher on the basis of information given by the private respondent without hearing the petitioner in gross violation of Principle of Natural Justice as also for setting aside the consequential Letter no. 139 dated 21.12.2018



issued by respondent no. 5 restraining the petitioner from taking Science Practical classes as contained in Annexure-4 respectively despite having taken theory classes of subject Physics and Mathematics in the concerned school.

(ii) For a direction upon the Respondent concern either allow the petitioner to take Science Practical Classes also as he used to teach or take theory Classes in subject Physics also as petitioner has been appointed as Physics and Mathematics teacher known as Mathematics teacher whereas private respondent has also been appointed in the said School subsequently in subject Chemistry/ Biology commonly known as Science Teacher who used to teach Chemistry/ Biology in the concerned School or alternatively if the stand of respondent authority is justified then petitioner may be restrained from taking theory Classes of physics subject also so that he may confined himself with only Mathematics subject.

(iii) For direction upon Respondent concerned to take decision on representation filed before Respondent no. 2, 3 and 4 within reasonable period so that student of concerned School may not suffer and petitioner may also teach only Mathematics subject in concerned school.

2. The learned counsel for the petitioner submits that the petitioner has filed a representation before the Regional Deputy Director of Education, Patna Division, Patna regarding redressal of his grievances, however no action is being taken to



redress the grievances.

3. Having regard to the facts and circumstances of the case, I deem it fit and appropriate to direct the petitioner to file a fresh representation before the respondent no. 3 with regard to the aforesaid grievances within a period of four weeks from today, whereafter the respondent no. 3 shall take appropriate decision and pass a reasoned and just order in accordance with law within a period of eight weeks thereafter.

4. The present writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.02.2019
Transmission Date	NA

