

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5194 of 2019

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Upendra Kumar S/o Shri Dasu Yadav Res. of Vill.- Jamunaiya, P.O.-
Hardawan, P.S.- Dobhi, Distt.- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar and Ors Through the District Magistrate, Gaya.
2. The District Magistrate Gaya.
3. The District Education Officer Gaya.
4. The District Programme Officer (Establishment) Gaya.
5. The Block Development Officer Dobhi, Gaya.
6. The Block Education Officer Dobhi, Gaya.
7. The Panchayat Secretary Panchayat Teacher Niyojan Ikai, Gram Panchayat Raj, Pachratan, Block -Dobhi, Gaya.
8. The Principal Primary School, Jamunaiya, Block- Dobhi, Distt.- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Amish Kumar, Advocate
For the Respondent/s : Mr.Jitendra Kr. Roy 1 (Sc13)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 13-08-2019 The grievance of the petitioner in the present writ
petition is termination without opportunity of hearing.

The allegation against this petitioner is that he has
obtained job on the basis of Up Shastri qualification which is
inappropriate.

Mr. Amish Kumar learned counsel for the petitioner
has placed reliance on the decision of the Division Bench
rendered in LPA No. 501/2017 wherein the Division Bench of
this Court has occasion to decide the issue of termination
without compliance of principles of natural justice.



Considering the decision of the Division Bench in LPA No. 501/2017, the writ petition is allowed. The order dated 11.07.2018 as contained in Annexure-5 to the writ petition is quashed.

The respondents are directed to reinstate the petitioner. However, payment to the petitioner shall abide by the final outcome of the enquiry with opportunity of hearing to the petitioner.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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