

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7354 of 2019

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Rajesh Ram Son of Shankar Ram Resident of Village and P.O.-Kubauli Ram,
P.S.-Bangra, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Bihar, Patna.
2. The Director, Secondary Education, Bihar, Patna.
3. The Regional Deputy Director of Education, Darbhanga Division, Darbhanga.
4. The District Magistrate, Samastipur.
5. The District Education Officer, Samastipur.
6. The District Programme Officer (Establishment), Samastipur.
7. The Head-Master (+2), Ram Pratap High School, Kubauli Ram, District-Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar
For the Respondent/s : Mr. Smt.Binita Singh (Sc28)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 01-05-2019

The petitioner, who is a Night Guard, has been removed from service by the Headmaster of Ram Pratap High School, Samastipur on the ground of the availability of two regular appointees (Peons) in the school.



2. The learned counsel for the petitioner has drawn the attention of this Court to the letter issued to all the Principals/In-charge, Principals of the Middle and High Schools of the District of Rohtas at Sasaram by the District Programme Officer(Secondary Education), Rohtas whereby a direction has been issued that before removing any Night Guard/Peon, the concerned Principal of the School ought to take prior approval of the Management Committee of the school.

3. In the present case, the order of termination has been passed by the Principal of the school on his own and without the prior approval/sanction of the Management Committee of the school.

4. The petitioner, in the aforesaid circumstances, is directed to make a representation before the District Programme Officer (Secondary Education), Samastipur, detailing his grievances,



within a period of two weeks from today, who, on receipt of such representation shall pass a reasoned order in accordance with law within a period of six weeks thereafter.

5. With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07/05/2019

