

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9075 of 2019

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Mithilesh Kumar Tiwari S/o Ram Chandra Tiwari In-Charge
Headmaster, Govt. Middle School Jalalpur, Singhwalia, Gopalganj, resident of
Village Matauli, P.S. Singhwalia, Dist.-Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Human Resources
Department Govt. of Bihar, Patna
2. The Director, Primary Education Bihar, Patna
3. The District Education Officer, Gopalganj
4. The Sub Divisional Officer, Gopalganj
5. The District Programme Officer (Est), Gopalganj
6. The Block Development Officer, Singhwalia, Gopalganj
7. The Block Education Officer, Singhwalia, Gopalganj
8. Sri Shashi Kant Yadav, Asstt. Teacher Govt. Middle School
Jalalpur, Singhwalia, Gopalganj
9. The District Magistrate, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amar Nath Singh
For the Respondent/s : Mr. Madanjeet Kumar (Gp20)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-04-2019 At the outset, the learned counsel for the petitioner

seeks to implead the District Magistrate, Gopalganj as

respondent no.9 to the present writ petition.

Permission is granted. Let the same be done during

the course of the day.

In the present writ petition, the petitioner has prayed

for quashing the order dated 11.02.2019 passed by the Sub-

Divisional Officer, Gopalganj whereby and whereunder a

direction has been given to the District Education Officer,



Gopalganj and the District Programme Officer (Establishment), Gopalganj to take steps for giving the charge of the school as In-charge Headmaster to the Senior most teacher, namely, Sri Shashi Kant Yadav on the basis of the joint enquiry report dated 22.01.2019.

The learned counsel for the petitioner submits that the fact is that the petitioner is the senior most teacher, hence, he should be continued as the Incharge Headmaster.

Having regard to the disputed question of facts involved in the present writ petition, it would be appropriate to relegate the petitioner to file a representation before the District Magistrate, Gopalganj.

Accordingly, liberty is granted to the petitioner to file a representation before the District Magistrate, Gopalganj within a period of four weeks from today who shall examine the matter and adjudicate upon the grievance of the petitioner within a period of six weeks thereafter.

It is made clear that in the meantime, status quo, existing as on today, shall be maintained.

(Mohit Kumar Shah, J)

Tiwary/-

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