

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6893 of 2018

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Kamruddin Son of Kitab Ali Resident of Village- Mahadaiya, Post- Minapur,
P.S. Minapurm, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Department of Education, Bihar, Patna.
2. The Director, Department of Secondary Education, Government of Bihar, Patna.
3. The District Magistrate, Muzaffarpur.
4. The District Education Officer, Muzaffarpur.
5. The District Programme Officer, Muzaffarpur.
6. The Block Education Officer, Minapur, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Priyank Samdarshi
For the Respondent/s : Mr.Smt. Shilpa Singh- Ga12

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 5 16-04-2019 The present writ petition has been filed for quashing the letter dated 25.01.2018 passed by the District Education Officer-cum-District Programme Officer (Establishment), Muzaffarpur, whereby and whereunder according to the directions of the Department contained in letter of the Director (Education), Bihar, Patna dated 21.12.2017 as also in the letter of the Secretary, Education Department, Bihar, Patna dated 28.07.2017 and 24.01.2018, the services of 82 Shiksha Syaim Sevi have been terminated.
2. The learned counsel for the petitioner has submitted that



the respondents had already taken a decision to terminate 82 persons, who were working as *Talimi Markez* vide order dated 28.07.2017 without issuance of show cause notice to the petitioner herein or without following the due procedure of law as well as without complying with the principles of natural justice, however, subsequently, by way of formality, a show cause notice dated 04.08.2017 was issued i.e. much after the issuance of the order of termination dated 28.07.2017, hence, the same was of no consequence in the eyes of law.

3. The learned counsel appearing for the respondents does not dispute the position as existing in law.

4. Having regard to the submissions made by the learned counsel for the parties, the present writ petition is allowed and the order dated 25.01.2018 passed by the District Education Officer-cum-District Programme Officer (Establishment), Muzaffarpur is quashed, however, with liberty to the respondents to proceed afresh in accordance with law.

(Mohit Kumar Shah, J)

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