

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18868 of 2019

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Seema Kumari D/o Devanand Pandey R/o Village-Hanspir, P.S. Mashrakh,
District Saran at Chapra, presently posted as Assistant Teacher, Primary
School, Lakhanpur, P.S. Mashrakh, District Saran at Chapra

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary HRD, Govt. of Bihar, Patna
3. The Director Primary Education, Govt. of Bihar, Patna
4. The District Magistrate Saran at Chapra
5. The Dy. Director Primary Education, Govt. of Bihar, Patna
6. The District Education Officer Saran at Chapra
7. The District Programme Officer (Establishment) Saran at Chapra
8. The Block Development Officer-cum-Secretary Block Employment Unit,
Baniyapur, Saran at Chapra
9. The Block Education Officer Mashrakh, Saran at Chapra
10. The Headmaster Primary School, Lakhanpur, Block-Mashrakh, District-
Saran at Chapra
11. The Panchayat Secretary Karn Kudariya Panchayat, Saran at Chapra

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ram Binod Singh
For the Respondent/s : Smt.Shilpa Singh (Ga12)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 13-09-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The issue raised in the present writ application is no
more res integra, the similar issue was considered by the
Division Bench of this Court in LPA No. 501 of 2017 has
occasion to consider the effect of non compliance of principles
of natural justice in the matter of termination. Relying upon the



judgment of the Division Bench of this Court has considered the similar issue in C.W.J.C. No. 6714 of 2017 vide order dated 02.09.2019.

In view of the decision of the Division Bench and the LPA Court in LPA No. 501 of 2017 dated 14.11.2017 and the order dated 02.9.2019 in C.W.J.C. No. 6714 of 2017, the present writ application is allowed. The order of termination in interlocutory application No.01 of 2019 in all the batch of writ applications are quashed. The respondents are directed to reinstate the petitioner. However, the monetary benefit shall abide by the fresh decision after inquiry with notice to the petitioner.

Necessary decision in this regard must be taken by the respondents within a maximum period of 90 days from the date of receipt/production of a copy of this order after opportunity of hearing to the petitioner.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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