

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2396 of 2019

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Suresh Sah Son of Late Laxmi Sah R/o Village- Saradhi, P.O.- Bangalwa, P.S.- Dharahara, District- Munger, at present residing in the house of Laxmi Mahto, Shahganj Main Road, P.O.- Mahendru, P.S.- Sultanganj, District- Patna at present posted as In-charge Headmaster, Upgraded Middle School, Jamalpur PO- Rustampur, PS- Raghobpur, District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna
3. The Director, Primary Education, Government of Bihar, Patna
4. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur
5. The District Magistrate, Vaishali at Hajipur
6. The District Education Officer, Vaishali at Hajipur
7. The District Programme Officer (Estab.), Vaishali at Hajipur
8. The Block Education Officer, Raghobpur, Vaishali
9. Sanjay Kumar S/o Late Anant Bhagat R/o Vill and PO- Bhadaul, District- Madhepura, Presently posted as Headmaster, Middle School, Saidabad, Block- Raghobpur, District- Vaishali

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bajarangi Lal
For the Respondent/s : Mr.Prabhakar Jha (Gp27)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

6 25-08-2020 Heard learned counsel for the petitioner and the

counsel appearing on behalf of the State as well as learned

counsel appearing on behalf of the respondent no.9.

Petitioner is aggrieved by the orders contained in

Annexure 13 which was purportedly passed in compliance of

the direction issued by the Hon'ble Lokayukta. It has been

decided by a coordinate bench of this Court in C.W.J.C. No.



18053 of 2019 vide order dated 3.6.2020 that the Lokayukta has no such jurisdiction to pass any positive order.

In view of the above, the order under challenge which is not an independent decision, considering the decision taken in compliance of the direction issued by the Hon'ble Lokayukta cannot sustain and as such the Court is left with no option but to quash the orders. Accordingly, the orders 24.1.2019 and 01.02.2019 contained in Annexure-13 and 14 respectively are quashed. The petition is allowed. The respondent is directed to post the petitioner at the place where he was working before issuance of Annexure-13 and 14.

(Anil Kumar Upadhyay, J)

Ravi/-

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