

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3725 of 2020

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Shambhu Narayan Gupta Son of Shyam Sundar Ram, Resident of Village-
Nuwan, P.O. Kabilashpur, P.S. Durgawati, District- Kaimur, At Present Head
Master Incharge, Middle School Basaw Kalan, P.S. Sikraul, Block Itarhi,
District-Buxar ... Petitioner

Versus

1. The State of Bihar through the Principal Secretary Department of Education,
Government of Bihar, Patna.
2. The Principal Secretary Department of Education, Government of Bihar,
Patna.
3. The District Magistrate, Buxar.
4. The District Programme Officer(Establishment, Sarva Shiksha Abhiyan),
Buxar.
5. The Incharge Officer, District Development Section, Buxar Collectariat,
Buxar.
6. The Block Education Officer, Itarhi, Buxar.
7. The Head Master, Middle School, Mangolpur, Itarhi, -Cum- Financial
Incharge, Middle School, Basaw Kalan, Itarhi.
8. Kumari Nisha Saini, Wife of Dharmendra Kumar, At Present teacher Middle
School Basaw Kalan, P.S. Sikraul, Block Itarhi, District- Buxar.
9. Block Development Officer cum Block Education Employment Unit, Itarhi,
Buxar. ... Respondents

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Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr.Jitendra Kumar Roy1 (Sc13)

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

3 18-11-2022 This case has been placed through virtual mode.

Counsel for the petitioner is not available.

The petitioner by this writ petition has assailed the
order by which respondent no. 8 was given the academic In-
Charge of the Middle School, Basaw Kalan, Block Itarhi,
district Buxar in spite of the fact that he is senior to Kumari
Nisha Sini, respondent no. 8.



During the pendency of this writ petition, for certain allegation he has been suspended vide order, dated 28.01.2020, and he has moved an interlocutory application (I.A. No. 1 of 2020) for praying to challenge the suspension order.

In the opinion of this Court, the petitioner who is originally filing a petition for seeking of setting aside an order of giving charge to respondent no. 8 can not be allowed to include if the same petition prayer for quashing a suspension order which is on the basis of certain other reasons, both do not have any connection.

The interlocutory application is misconceived and the same is accordingly dismissed.

Keeping in view that the petitioner has been suspended the claim for handing over charge of the Middle School, Basaw Kalan, Block Itarhi, district Buxar, does not survive. The writ petition has been rendered as otiose on account of subsequent event of suspension of the petitioner.

In view thereof, writ petition is misconceived and is dismissed.

(Sanjeev Prakash Sharma, J)

Shamshad/-
Item No. 74

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