

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4772 of 2020

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Sudha Kumari, Daughter of Yogendra Mishra, Resident of Village and P.O. -
Madhurapur Tanra, P.S.- Kalyanpur, District- Samastipur, State- Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Human Resources Development, Govt. of Bihar, Patna.
2. The Director, Primary Education, Department of Human Resources Development, Govt. of Bihar, Patna.
3. The District Education Officer, Samastipur.
4. The Chairman, Panchayat Samiti- Cum- Chairman, Primary Teachers Employment Committee, Kalyanpur, District- Samastipur.
5. The Block Development - Cum- Recruitment Officer (Primary Teacher Employment Committee), Kalyanpur, Samastipur.
6. The Block Education Officer-Cum- Secretary, (Primary Teacher Employment Committee), Kalyanpur, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar, Adv.
For the Respondent/s : Mr.Prabhakar Jha (Gp27)

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 18-11-2022 Heard the parties through virtual mode.

The petitioner by way of this writ petition prays as
under :

“(i) For issuance of an appropriate Writ, Order or Director for quashing the Order dated 16.10.2019 contained in Memo No. 1056/Kalyanpur dated 16.10.2019, issued under the signature of Block Development Officer, Kalyanpur whereby and whereunder the appointment of the petitioner and seventeen teachers all Block Teachers working at



different respective Schools (Middle) Teachers have been cancelled in utter violation of Principle of Natural Justice as well as other facts and circumstances of the case. It is made clear here that the present Writ Application is confined to the petitioner alone.

(ii) For issuance of an appropriate Writ, Order or Direction to allow the petitioner to continue in service as Block Teacher with current salary on month to month basis after giving Relief No. 1.

(iii) For issuance of an appropriate Writ, Order or Direction for payment of salary due to the petitioner for the entire period during which the petitioner admittedly worked which will be evident from the facts mentioned in the body of Writ petition.

(iv) For issuance of an appropriate Writ, Order or Direction for any other relief or reliefs the petitioner may be entitled in the facts and circumstances of the case.”

Keeping in view the provision of Rules of 2020 and the judgment passed by this Court in the judgment dated 23.02.2022 passed in C.W.J.C. No. 5489 of 2020 (Suresh Ram Vrs. The State of Bihar & Ors.) and connected matters **reported in 2022 (2) B.L.J., 381** and the judgment dated 07.03.2022 passed in C.W.J.C. No. 34 of 2022 (Minakshi @ Sushre Minakshi & Anr. Vrs. The State of Bihar & Ors.), the writ petitioner is free to challenge the order of dismissal before the



concerned appellate authority.

Granting such liberty the writ petition is disposed of.

(Sanjeev Prakash Sharma, J)

Shamshad/-
Item No. 81

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