

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17385 of 2022

Praveen Kumar Kushwaha S/o Gourishankar Kushwaha, Resident of Village-Harpur Tola, Chichirwa, P.O.- Nawalpur, Thakraha, P.S.- Nadi, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Additional Chief Secretary, Education Department, Bihar, Patna.
4. The Director, Primary Education, Education Department, Government of Bihar, Patna.
5. The District Magistrate, Bettiah, West Champaran.
6. The District Education officer, West Champaran, Bettiah.
7. The District Programme Officer, Bettiah, West Champaran.
8. The Block Education Officer, Madhubani, in the District of West Champaran.
9. The Block Development Officer, Madhubani, District- West Champaran.
10. The Mukhiya, Gram Panchayat Raj, Madhua, Block Madhubani in the District of West Champaran.
11. The Secretary, Panchayat Employment Unit, Madhua, Block Madhubani, District- West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.
For the Respondent/s : Mr. Prabhakar Jha (GP 27)

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 21-12-2022 1. The petitioner by this writ petition has prayed for following reliefs :-

“1. That, the petitioner seeks indulgence of this Hon’ble court for issuance of writ/writs, order/orders, direction/directions for the following reliefs :

i. For quashing the order dated 27.06.2022 (Annexure-4), passed by the Panchayat Secretary,



Panchayat Employment Unit, Madhua, Block Madhubani, District- West Champaran (Respondent No. 11) whereby and where under the selection of the petitioner from the post of Primary Teacher, unreserved category, was cancelled without issuing any notice to the petitioner and without hearing him, merely in view of the order of District Education Officer, Bettiah, West Champaran (Respondent No. 6) dated 26.05.2022 contained in Memo No. 1488 (Annexure-3), which to was passed without hearing the petitioner.

ii. For quashing of the order dated 26.05.2022 passed by The District Education Officer, Bettiah, West Champaran contained in Memo No. 1488 dated 26.05.2022 (Annexure-3), whereby and where under, without giving any opportunity of hearing to the petitioner, the Panchayat Secretary, Panchayat Employment Unit, Madhua, Block Madhubani, District- West Champaran was directed to cancel the petitioner's selection immediately.

iii. Also for directing and commanding the respondents to reinstate the petitioner to the post i.e. Panchayat Teacher and to give all the consequences benefit.

iv. Also for restraining the respondents from appointing any other person against the post from which the petitioner has illegally been removed.

v. Also for taking proper legal action against the erring authorities, those who illegally removed the petitioner from his job.

vi. For issuance of any other appropriate writ, order/order, direction/direction for which the petitioner shall be found entitled under the facts and circumstances of the case."

2. Considering it that this matter is covered by the Judgment dated 23.02.2022, passed in **C.W.J.C. No. 5489 of 2020 (Suresh Ram Vs. The State of Bihar & Ors.)** and connected matters reported in **2022 (2) B.L.J. 381, 2022 (2) P.L.J.R. 80** 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.), this petition is disposed of with the above terms.

3. If an appeal is preferred before the District Appellate Authority/State Appellate Authority, the same shall be taken up at the earliest and preferably decided within a period of six months.

(Sanjeev Prakash Sharma, J)

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Item No. 17

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