

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2934 of 2023

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Mukesh Kumar, Son of Sri Ajay Kumar Jha, resident of Village - Shankarpur,
Bakhadda, P.S. - Matihani, District - Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Bihar, Patna.
2. The Director, Education Department, Bihar, Patna.
3. The Regional Deputy Director of Education, Munger Division Munger.
4. The District Magistrate, Begusarai.
5. The District Education Officer, Begusarai.
6. The District Education Officer, Lakhisarai -cum-enquiry Officer.
7. The District Programme Officer (Establishment), Department of Education, Begusarai-cum-Presenting Officer.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Indu Bhushan, Advocate
For the Respondent/s : Mr.Prabhakar Jha, GP-27

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-07-2023 The writ petition has been filed for the following
relief/s:-

“(i) For issuance of an appropriate writ in the nature of certiorari for quashing the impugned order of penalty of dismissal from service from the post of Peon issued vide Memo No.1010 dated 02.08.2018 (contained in Annexure-9) issued by under the signature of Respondent No.3 on the very ground that departmental proceeding against the petitioner is violative of Rule 17 of the Bihar CCA Rules, 2005.

(ii) For issuance of an appropriate writ in the nature of certiorari for quashing the Prapatra-K (Memo of Charge) issued vide Memo No. 1280 dated 29.11.2013



(contained in Annexure-2) issued by under the signature of the District Education Officer, Beguasrai on the very ground that Prapatra-K (Memo of Charge) is violative of Rule 17 (3)(ii)(b) of the Bihar C.C.A. Rules, 2005.

(iii) For issuance of an appropriate writ in the nature of Mandamus commanding the responsible respondents for a direction to pay the subsistence allowance and full salary for the period of suspension and also other consequential benefits for which the petitioner is found entitled to.”

2. Learned counsel for the petitioner submits that he would be availing the remedy of appeal against the order dated 02.08.2018.

3. Without expressing any opinion on the merits of such submission, writ application is dismissed with liberty.

(Madhuresh Prasad, J)

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