

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19564 of 2015

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Deo Kumar Jha Son of Sri Mahendra Jha Resident of Village-Behat,Po
-Dehad, P.s SonbarsaRaj District Saharsa.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Old Secretary, Bihar, Patna.
2. The Principa Secretary, Department of Education , Govt. of Bihar, Patna.
3. The Secretary, Primary Education Govt. of Bihar,Patna.
4. The Director, Primary Education,Education department Government of Bihar, Patna.
5. The Regional Deputy Director ofn Education ,Saharsa.
6. The District Magistrate, Saharsa.
7. The District Education Officer, Saharsa.
8. The District Programme Officer, Establishment , Saharsa .
9. The Block Development Officer, Sonbarsa, District Saharsa.
10. The Block Education Officer, Sonbarsa, District Saharsa.
11. The Mukhiya ,Gram Panchayat Dehad, P.s Block- SonbarsaRaj District Saharsa.
12. The Panchayat Secretary, Gram Panchayat ,Dehad,P.S Block- Sonbarsa Raj, District Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Adv.
For the Respondent/s : Mr. Sanjay Kumar, AC to GP-7
Ms. Roojna, AC to GP-7

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-10-2023 The present writ petition has been filed seeking the
following reliefs:-

1(i). For issuance of an appropriate writ in the
nature of certiorari for setting aside the order in
view of letter No.1206 dated 31.7.15 issued by
the District Programme Officer (Establishment),
Saharsa, directing all the Block Development



Officers, all the Block Education Officers and all the Panchayat Secretaries of saharsa to remove those persons who are working on the post of Prakhanda Teachers Panchayat Teachers in different Primary/ Middle schools of the Block after appointment on the basis of the degree obtained from Hindi Sahitya Sammelan Allahabad, Which has been sent by the Block Education Officer, Sonbarsa to the Panchayat Secretary, Bargaon/Dehad/ Sarauni Madhepura to remove the petitioner from the post of Panchayat Teacher, Primary School, Goari Gram Panchayat, Sarauni, Madhepura, District-Saharsa Vide Gyapank 358/sontarsa dated 25.8.2015.

(ii). For declaration that the degree obtained by the petitioner for the appointment is valid for the post.

(iii). For direction upon the respondents not to remove the petitioner from his post considering his suitability.

(iv). For direction upon the respondents to reinstate the petitioner on his post and not to take any follow up action.”

2. The learned counsel for the parties admit that the present case is squarely covered, by a judgment dated 28.4.2010, rendered by the learned Division Bench of this Court in case of



the State of Bihar & Ors. vs. Mamta Kumari & Others (LPA No. 28 of 2010) & *other analogous cases*, however, the learned counsel for the petitioner prays that in view of paragraph no. 35 of the aforesaid judgment dated 28.4.2010, the Respondents be directed not to recover any salary or any other financial benefit, already paid to the petitioner. It is directed accordingly.

3. The present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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