

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.22137 of 2013**

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Shailendra Thakur Son Of Dunni Lal Thakur Resident Of Village And Post  
Office-Meghaul, Police Station - Khodawandpur, District- Begusarai.

... .. Petitioner/s

Versus

1. The State Of Bihar through its Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Secondary Education, Government Of Bihar, Patna.
3. The Deputy Director, Department Of Secondary Education, Bihar, Patna.
4. The Sub-Divisional Officer, Manjhaul-Cum-Convenor Adhoc Committee, Mahanth Rama Kant Das Intermediate college, Meghaul, Distt-Begusarai.
5. The Bihar School Examination Board Senior Secondary Budh Marg, Patna Through Its Secretary.
6. The Chairman, Bihar School Examination Board, Senior Secondary, Budh Marg Patna.
7. The Secretary, Mahanth Rama Kant Das Intermediate College, Meghaul, Begusarai.
8. The In-Charge Principal, Mahanth Rama Kant Das Intermediaate College, Meghaul, Begusarai.
9. Sri Rajesh Kumar Singh, Son Of Ramanand Prasad Singh Resident Of Village And P.O. Meghaul, Police Station- Khodawandpur, Distt Begusarai, Presently Posted As Head Clerk, Mahath Rama Kant Das Intermediate College, Meghaaul, Bnegusari.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr.Shashi Bhushan Singh, Advocate |
| For the Respondent/s | : | Mr.Anil Kr. Singh, G.P. 26        |
| For B.S.E.B.         | : | Mr. Gyan Shankar, Advocate        |

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

3      22-06-2023                      The present writ petition has been filed seeking  
the following reliefs :-

*“ (i) For issuance of an appropriate writ in  
the nature of Certiorari for quashing the  
letter contained in Memo No. BSEB  
(65)/EST/3830/D-12 dated 30.7.2012 with*



*respect to the petitioner whose name is reflecting at serial No. 1 whereby and whereunder the respondent No.6 has upheld the decision of so-called Governing Body that the petitioner has been demoted from the post of class -III to class -IV sidelining the available facts on record that the petitioner has been working as Head clerk of the college and this fact has been admitted by the respondent no.8 as well as the member of the Committee in the on going proceeding after March 1999, the petitioner has been never informed by issuance of any notice or without hearing all of sudden it has come out during the hearing before respondent no.6, and once such information was published in the daily newspaper.*

*(ii) For issuance of an appropriate writ in the nature of Mandamus, Commanding & directing the respondents to produce the appointment letter as well as proceeding of the governing body of 1993 by which respondent no.9 has been appointed as clerk and subsequently promoted as Head clerk in place of the petitioner and upon production of the same the same be quashed by issuance of writ of certiorari since respondent no.9 was not appointed properly ever rather he become Head clerk illegally in connivance with the respondent no.8 as well as member*



*of the so-called ad-hoc committee namely Shyam Kishore Prasad Singh who is the uncle of the respondent no. 9.*

*(iii) For issuance of an appropriate writ in the nature of Mandamus commanding and directing the respondents to make payment of the salary/ remuneration from the aid received from the Human Resources Development Department, Government of Bihar to the petitioner having restored his status as Head Clerk of the college in question.”*

After some arguments, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies, as are otherwise available under the law. Liberty so sought, is granted.

The writ petition stands dismissed as not pressed.

**(Mohit Kumar Shah, J)**

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