

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7215 of 2023

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Rajmati Devi Wife of Late Mahesh Ray @ Mahesh Yadav, resident of village-
Srinagar, Trilokchak, P.O. and P.S. Dighwara, District - Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. The District Magistrate, Saran at Chapra, District - Saran at Chapra.
4. The District Education Officer, Saran at Chapra, District - Saran at Chapra.
5. The District Programme Officer (Establishment), Saran at Chapra, District - Saran at Chapra.
6. The Block Development Officer, Dariyapur, District - Saran at Chapra.
7. The Block Education Officer, Dighwara, District - Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Awnish Kumar
For the Respondent/s : Mr.Manish Kumar (Gp4)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-11-2023 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 quashing the part of the order dated 06.06.2020, issued under the signature of the Respondent no.3 and contained in his memo no.664 dated 06.06.2020, whereby and whereunder the Respondent no. 3 was pleased to terminate the petitioner's services on the ground that during the verification of certificates, the academic certificate of the petitioner has not been found correct.



(ii). Consequent upon quashing of the aforesaid order of the Respondent no. 3, the petitioner would further pray for issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent Authorities for reinstatement of the petitioner in service with effect from the date when her services were terminated as also to pay the arrears of salary to the petitioner for which she would have been entitled had her services were not terminated by the Respondent no.3 as also for grant of benefit of continuity in service to the petitioner for the purposes of grant of any future benefit of service.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the order dated 6.6.2020, as contained in memo dated 6.6.2020, whereby and whereunder the services of the petitioner has been terminated, by filing appropriate appeal before the learned Divisional Commissioner, Saran Division at Chapra. Liberty, so sought, is granted.

3. It is needless to state that in case, appropriate appeal is filed within a period of three weeks from today, the appeal of the petitioner shall be considered on merits, without the appellate authority being impeded by the issue of limitation and



a reasoned and a speaking order, in accordance with law, shall be passed thereon, within a period of six weeks, thereafter.

4. The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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