

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12871 of 2022

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Brijnandan Paswan, S/o Tilo Paswan, Resident of Village-Pabra, P.S.-Cheriya
Bariyarpur, District-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Primary Education Department, Government of Bihar, Patna.
2. The Director Primary Education, Government of Bihar, Patna.
3. The Additional Chief Secretary, Government of Bihar, Patna.
4. The Regional Deputy Director of Education, Munger.
5. The District Magistrate, Begusarai.
6. The District Programme Officer (Establishment), Begusarai.
7. The Block Education Officer, Garhpura Block, District-Begusarai.
8. The Block Development Officer, Garhpura Block, District-Begusarai.
9. The Secretary, Bihar School Examination Board, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Nakul Kumar Jamuar, Advocate
For the Respondent/s : Smt. Binita Singh (Sc 28)

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

3 21-02-2023 The petitioner by way of this writ petition has prayed
as under :-

*'for issuance of an appropriate a
writ, preferably in the nature of mandamus
commanding and directing to the respondents
concerned to reinstate the service of the
petitioner on the same post as a Prakhanda
Teacher in the same School, the petitioner was
appointed as Panchayat Teacher in Middle
School Rajaur, under Garhpura Block,
District-Begusarai on 02.05.2007, thereafter*



he started his service with very honestly and sincerely, and during the service period he got training of two years and again six months from Indira Gandhi National Open University and further he qualified efficiency test, But suddenly his service was break, alleging there in that marks obtained by the petitioner in Intermediate is different from the record of Bihar School Examination Board, Patna and in this regard, a F.I.R. was lodged against the petitioner vide Garhhpura P.S. Case No. 54/2020, in which the petitioner granted anticipatory bail by this Hon'ble Court and after lodging the F.I.R. the petitioner has been terminated from service orally, without giving any show cause or opportunity and in the regard Deputy Secretary issued a letter on 11.07.2022 therefore direction may be given to respondents concerned to reinstate the service of the petitioner with all consequential benefit from the date of termination. And/or any other relief or reliefs for which the petitioner is found entitled to in the facts and circumstances of this case."

2. Admittedly, the petitioner is a **Block Teacher/ Panchayat Teacher** and would be amenable to jurisdiction under the District Appellate Authority. Keeping in view the law laid down by this Court 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.), the writ petition is dismissed with liberty to file
appeal before the concerned District Appellate Authority.

(Sanjeev Prakash Sharma, J)

Ashwini/-
Item No.7

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