

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13975 of 2022

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Dipak Kumar Gupta Son of Sri Jagdish Gupta, Resident of Chura Gali, Gandhi Chowk,
Bhatani, P.O. and P.S. - Bhatani, District - Deoria (Uttar Pradesh).

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Primary Education, Government of Bihar, New Secretariat, Patna.
2. The Director, Primary Education Government of Bihar, New Secretariat, Patna.
3. The District Magistrate, Gopalganj.
4. The Deputy Development Commissioner, Gopalganj.
5. The District Education Officer, Gopalganj.
6. The District Programme Officer (Establishment), Gopalganj.
7. The Member Secretary, Block Teachers Employment Unit -cum-Block Development Officer, Panchdeori, P.O. and P.S. Panchdeori, District - Gopalganj.
8. The Block Education Officer, Panchdeori, P.O. and P.S. - Panchdeori, District - Gopalganj.
9. The Block Panchayat Raj Officer, Kuchaikote, P.O. and P.S. - Kuchaikote, District - Gopalganj, the then Member Secretary, Block Teachers Employment Unit, Panchdeori, District - Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bipin Bihari Singh
For the Respondent/s : Mr.Jitendra Kr. Roy 1 (Sc13)

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

ORAL ORDER

3 24-02-2023

1. The petitioner by way of this writ petition has prayed

as under :-

*“1. That the present writ petition is for
quashing the order passed by the District Programme
Officer (Establishment), Gopalganj in Memo No. 2910
Gopalganj dated 10.08.2022 to Member Secretary, Block
Teachers Employment Unit-cum Block Development Officer,
Panchdeori for cancellation of his selection/ appointment/
candidature under counselling referring the certain
irregularities in counselling and enquiry report without
issuing show-cause and providing reasonable opportunity*



of hearing, which reveals that the entire exercise was violation of natural justice as on or before the adverse remark/ order; whereas, 'Right of Hearing' is basic and elementary law as well as the further prayer relates with the direction for issuance of formal letter of appointment in terms of Memo No. 136 dated 15.02.2022 issued by the Additional Chief Secretary, Education Department, Govt. of Bihar and give the proper posting and for other necessary relief/reliefs on the basis of the facts and circumstances of the case enumerated stated and discussed hereinafter ”

2. Considering it that this matter is covered by the Judgment dated 23.02.2022, passed 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.)**, this writ petition is dismissed with liberty to file appeal before the concerned District Appellate Authority.

(Sanjeev Prakash Sharma, J)

Sachin/-
Item No. 17

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