

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.290 of 2023

1. Md. Ishteyaque Ahmed Aurangzeb Son of Wasi Ahmed Shah, Resident of Village- Phulwari Sharif Bhadauni P.S.- Nawada (Town) Distt. and Town-Nawada.
2. Md. Iftekhar Ahmed Shahnawaz Son of Wasi Ahmed Shah, Resident of Village- Phulwari Sharif Bhadauni P.S.- Nawada (Town) Distt. and Town-Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Govt. of Bihar Patna.
2. The Director Primary Education, Govt. of Bihar, Patna.
3. The Commissioner-cum-2st Appellate and Revisional Tribunal, Magadh Commissionery Gaya, Bihar.
4. The Distt. Magistrate, Nawada.
5. The Dtstt. Education Officer, Nawada.
6. The Block Development Officer, NawadaSadar, Dist.- Nawada.
7. The Block Education Officer, Nawada Sadar, Dist.- Nawada.
8. The Block Panchayati Raj Officer-cum Secretary, Panchayat Teacher Niyojan Unit Nawada Sadar, Dist.- Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No1
For the Respondent/s : Mr. Jitendra Kr. Roy 1 (Sc13)

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 20-01-2023 Heard the parties.

The petitioners assailed the orders dated 19.09.2022 and 10.11.2022, whereby the District Education Officer, Nawada and the respondent no.3 the Commissioner-cum-Ist Appellate & Revisional Tribunal, Magadh Commissionery Gaya, Bihar has directed the petitioners to be removed from service and also prays to quash the order by which the salary has



been withheld.

The orders are challenged on various grounds, however, this Court finds that the petitioners are Panchayat Teachers and would therefore be entitled to file a regular appeal before the District Appellate Authority/State Appellate Authority, in terms of Redressal of Grievance Rules 2020 and the judgment dated 23.02.2022 passed by this Court in CWJC No.5489 of 2020 (Suresh Ram Vs. The State of Bihar & ors.) and connected matters reported in 2022 (2) B.L.J., 381 and the Judgment dated 07.03.2022, passed in C.W.J.C. No. 34 of 2022 (Minakshi @ Sushre Minakshi & Anr. Vs. The State of Bihar & ors.).

Granting aforesaid liberty, the present writ petition is dismissed.

(Sanjeev Prakash Sharma, J)

Brajesh Kumar/-

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