

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.807 of 2023

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Birendra Kumar Son of Parikshan Rai, Resident of Village - Nimoia, P.S. - Ghora Sahan, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary General And Administrative Department, Govt. of Bihar, Patna.
2. The Addl. Chief Secretary, Department of Education, Govt. of Bihar, Vikash Bhawan, Patna.
3. The Director, (Primary Education), Department of Education, Government of Bihar, Patna.
4. The District Education Officer, East Champaran, Motihari.
5. The District Program Officer (Primary Education and S.S.A.) Motihari, East Champaran.
6. The Block Education Officer, Bankatwa, East Champaran.
7. Sri Jainath Singh, Fathers name not known B.A. Trained Teacher Ra. M.W Bankatwa, Prakhand Sadhan Sevi, UMS School Bankatwa Block - Bankatwa, District - East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.Iii

For the Respondent/s : Mr. Subhash Chandra Mishra (Sc16)

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 03-02-2023

Heard the parties through virtual mode.

1. The petitioner by way of this writ petition has
prayed as under :-

(i) This is an application for issuance of writ in the
nature of certiorari, order or orders, direction or directions
quashing the Memo No. 351 dated 31.8.2022 passed by
respondent No.6 whereby and where under directed to the
petitioner to hand over entire charge to respondent no.7 who is



senior regular teacher and further appropriate direction may be given to that effect.”

2. Admittedly, the petitioner is a 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)

Brajesh Kumar/-
Item no.53

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