

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.733 of 2023

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Deepak Anand Son of Late Rabindra Singh, Resident of vilage- Mahaicha, P.S.- Uchakagaon, District- Gopalganj, presently posted and working as Incharge Headmaster, Shrikrishna Uchch Vidhyalaya, Kaligarh, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. The Regional Deputy Director of Education, Saran Division, Chapra.
4. The District Magistrate, Siwan
5. The District Education Officer, Siwan
6. The District Programme Officer (Establishment), Siwan
7. The Block Education Officer, Barhariya, District- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh
For the Respondent/s : Smt. Binita Singh, SC 28

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 03-02-2023

1. Heard the parties through virtual mode.

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

*“(I) To issue a writ in the nature
of Mandamus commanding and directing the
Respondent authorities concerned not to
disturb the functioning of petitioner as
Incharge Headmaster, Shrikrishna Uchch
Vidhyalaya, Kailgarh, District-Siwan, who
has been made Incharge Headmaster of the*



School in question being senior most teacher in the said school, in pursuant to Memo No. 1345 dated 28.10.2022 issued under the signature of Regional Deputy Director of Education, Saran Division, Chapra and since then petitioner has been functioning/discharging his duty as Incharge Headmaster of the school without any complain whatsoever from any corner.

(ii) To issue a writ in the nature of Mandamus commanding and directing the Respondent authority concerned not to give effect the order as contained in Memo No. 1392 dated 24.11.2022 issued under the signature of Respondent Regional Deputy Director of Education, Saran Division, Chapra, address to the District Education Officer, Siwan, stating therein that 'reviewing earlier letter No. 1345 dated 28.10.2022 of this office, it is directed to ensure the posting/appointing the Incharge Headmaster of the School in the light of clause 07 of letter No. 1500 dated 22.07.2019 issued from the level of Deputy Secretary, Education Department, Government of Bihar, Patna'; which bound



*to disturb functioning of petitioner as
Incharge Headmaster of the school in
question.*

*(iii) And/or any other relief or
reliefs for which the petitioner is found
entitled to in the facts and circumstances of
this case.”*

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. Vs. The State of Bihar & Ors.).**

3. The writ petition is dismissed with liberty to file
appeal before the concerned District Appellate Authority.

(Sanjeev Prakash Sharma, J)

Suraj/-
Item No. 44

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