

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.614 of 2023

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Kamal Sen Singh Son of Late Shivnandan Singh, Resident of Mohalla-
Barauni, Asurari, P.S. Barauni, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Secretariat, Patna.
2. The District Education Officer, Begusarai.
3. The Block Education Officer, Cheria- Bariarpur, Begusarai.
4. The Principal/Head Master, Primary School Mushhari, Pabra, Block- Cheria Bariarpur, District- Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Prasad, Adv.
For the Respondent/s : Mr. Kameshwar Kumar (GP 17)

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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 :-

“That by this writ application, the petitioner prays for the following relief(s) :-

(I) For quashing the order dated 22.09.2021 issued vide letter No. 550 by the respondent No. 3, Block Education Officer, Cheria Bariarpur, Begusarai whereas the list of teachers has been attached for not engaging teaching job from the petitioner as well as delete the name of the petitioner from the attendance register without prior notice to the petitioner, without any show cause issued to the petitioner.

A true typed copy of the order dated 22.09.2021 issued vide letter No. 550 is annexed herewith and marked as



Annexure-1 to this writ application.

(II) For issuance of a direction for payment of salary due to the petitioner against the respondent of Rs. 8,14,540/- up to December 2022 total 26 months, petitioner's name is at serial no. 16 as well as issue statement of salary.

A copy of statement of due salary is annexed herewith and marked as Annexure-2 to this writ application.

(III) For any other relief/relief to which the petitioner may be found entitled to in the eye of law."

2. Admittedly, the petitioner is a Block 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)

Sachin/-
Item No. 28

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