

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1939 of 2024

Md. Ali Akbar son of Late Md. Ali Hussain, resident of Village-Dariya Chhapra, P.O.-Bisunpur Patti, P.S.-Sahebganj and the district-Muzaffarpur, presently posted to the post of Assistant Teacher, Primary School Semra Nanakar Urdu, P.O.-Bisunpur Patti, P.S. Sahebganj and the District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, New Secretariat, Patna.
2. The Director, Primary Education, Department of Education, Govt. of Bihar, Patna.
3. The Deputy Director, Primary Education, Department of Education, Govt. of Bihar, Patna.
4. The District Magistrate, Muzaffarpur.
5. The District Education Officer, Muzaffarpur.
6. The District Programme Officer (Estab.), Muzaffarpur.
7. The District Programme Officer (Sarv Shiksha Abhiyan), District-Muzaffarpur.
8. The Panchayat Sachiv cum Secretary, Panchayat Teachers Appointment Committee, Paharpur Manorash Gr. Panchayat Sahebganj, District-Muzaffarpur.
9. The Regional Deputy Director of Education, at the office of the R.D.D.E. at Muzaffarpur in the District of Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shiv Shankar Prasad Yadav
For the Respondent/s	:	Mr. Government Advocate 7

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 20-03-2024

Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the respondents.

2. The present writ petition has been filed seeking the following reliefs:

“(i) the petitioner invokes the writ jurisdiction of this



Hon'ble Court to set aside the letter No.8276 dated 13.12.2023 issued by the respondent no.7 as well as the letter no.51 dated 26.12.2023 issued by the respondent no.8 through which the service of the petitioner to the post of an assistant teacher at Govt. Primary School at Samera Nankar "Urdu", Sahebganj, Muzaffarpur has been affected in view that through the very first letter a re-initiation of a departmental inquiry has been arbitrarily directed to be held against him and through the second letter he has been stopped to attend his school duty and registering his attendance in the attendance register; vide the letters no.8276 dated 13.12.2023 (first) and letter no.51 dated 26.12.2023 as an annexure."

3. At the very outset, learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the respondent authorities for redressal of his aforesaid grievance. Liberty, so sought, is granted.

4. The petitioner is directed to file a detailed representation before the respondent no. 8 along with all supporting documents within a period of three weeks and the respondent no. 8 is well advised to consider the case of the petitioner and also consider Annexures- P/9 series and P/10, after affording opportunity of personal hearing or through his counsel and pass a reasoned and speaking order in accordance with law within eight weeks thereafter.

5. It is made clear that the respondent no. 8 shall be liable for non-compliance of this order within the stipulated



period.

6. With the aforesaid direction, the writ application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.03.2024
Transmission Date	NA

