

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6697 of 2021

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Ram Krishna Prasad Singh, Son of Late Jamedar Singh Resident of Mohalla-
Bijay Bihar Colony on Dhalai Road, West of R.P.S. Law College, P.S. -
Danapur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Education,
Government of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar,
New Secretariat, Patna.
3. The Director, Secondary Education, Department of Education, Government
of Bihar, Secondary Education office, Budh Marg, Patna.
4. The Deputy Director, Secondary Education, Department of Education,
Government of Bihar, Secondary Education office, Budh Marg, Patna.
5. The District Education Officer, Patna.
6. The Regional Deputy Director of Education, Patna Division, Patna.
7. The Headmaster, Marwari High School, Patna City, P.S. - City Chowk,
District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Singh, Adv. Mr. Sanjay Kumar, Adv.
For the Respondent/s	:	Mr. Abhanjalli, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-09-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. This writ petition has been filed for quashing of the
order as contained in Memo No. 9/Sa Pra Aa-88/16 1238 dated
21.08.2020 (Annexure-18) passed by the respondent no. 3, the
Director, Secondary Education, Department of Education,
Government of Bihar, Patna by which the claim of the petitioner
has been rejected without conducting fresh enquiry and without



granting opportunity of hearing.

3. Learned counsel for the petitioner submits that earlier the case of the petitioner was allowed by a coordinate Bench of this Court in C.W.J.C. No. 10884 of 2016 quashing the enquiry report as well as order of disciplinary authority and the Appellate Authority as contained in Annexures-12, 14 and 16. The matter was remitted back to the respondents to undertake fresh enquiry and pass appropriate order in accordance with law after giving opportunity to the petitioner. The petitioner was required to extend full co-operation in the *de novo* enquiry. The consequences of quashing of Annexure-12, 14 and 16 shall be abide by the final outcome of the fresh proceeding but the respondent-authorities have not conducted the *de novo* enquiry and rejected the claim of the petitioner as contained in Memo No. 9/Sa Pra Aa-88/16 1238 dated 21.08.2020 passed by the respondent no. 3, the Director, Secondary Education, Department of Education, Government of Bihar, Patna

4. Considering the facts and circumstances of the case, this writ petition is allowed setting aside the order as contained in Memo No. 9/Sa Pra Aa-88/16 1238 dated 21.08.2020 passed by the respondent no. 3, the Director, Secondary Education, Department of Education, Government of



Bihar, Patna. The petitioner is entitled for all consequential
benefits.

(Anjani Kumar Sharan, J)

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