

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5816 of 2022

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Santosh Kumar Son of Late Santiyal Sufal Das Residence of Mohalla-Basudeopur (Basant Bihar) Colony, Post Office- Basudeopur, Police Station-Kotwali, District- Munger

... .. Petitioner/s

Versus

1. That State of Bihar through the Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
2. The Director, Primary Education, Govt. of Bihar, Patna.
3. The Regional Deputy Director of Education, Munger.
4. The District Education Officer, Jamui.
5. The District Program Officer, Establishment (Education) Jamui.
6. The Block Education Officer, Shikandra.
7. The Block Education Officer, Jamui.
8. The Head Master Up graded Middle School, Pratappur, Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar Tewary, Advocate
For the Respondent/s	:	Mr. Jitendra Kr. Roy 1 (Sc13)
		Mr. Hitesh Suman, AC to SC-13

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

7 18-09-2024 Heard learned counsel for the parties.

2. By means of this writ petition the petitioner has challenged the Memo No. 1197 dated 31.07.2019 issued by the respondent No.4/The District Education Officer, Jamui whereby the petitioner's service as Assistant Primary Teacher has been dismissed under Rule 14(XI) of the Bihar Government Servant (Classification, Control and Appeal) Rules, 2005 without preferring an Appeal under Rule 24 of the Bihar Government Servant (Classification, Control and Appeal Rule) Rules, 2005



against the order of dismissal.

3. Since there is a provision for preferring an appeal before the Appellate Authority under Rule 24 of the Bihar Government Servant (Classification, Control and Appeal Rule) Rules, 2005 against the order of dismissal passed by the Disciplinary Authority, this writ petition stands disposed of with a liberty granted to the petitioner to approach the Appellate Authority under Rule 24 of the Bihar Government Servant (Classification, Control and Appeal Rule) Rules, 2005.

4. As and when such an appeal is preferred by the petitioner, the Appellate Authority under Rule 24 of the Bihar Government Servant (Classification, Control and Appeal Rule) Rules, 2005 shall dispose of the appeal preferred, in accordance with law.

(Nani Tagia, J)

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