

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6413 of 2024**

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Ranjit Kumar Mishra son of late Shiv Kumar Mishra, Resident of MIG-13,  
Hanuman Nagar, P.S.-Patrakar Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through Chief Secretary, Govt. of Bihar
2. The Additional Chief Secretary, Education Department, Govt. of Bihar,  
Patna.
3. The Director, Secondary Education, Govt. of Bihar, Patna.
4. The Chairman, Bihar School Examination Board, Budha Marg, Patna.
5. The Secretary, Bihar School Examination Board, Budha Marg, Patna.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Prabhu Nath Pathak, Advocate  
For the Respondent/s : Mr.Hitesh Suman, AC to SC-13

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      26-04-2024                      1. The present writ petition has been filed seeking the  
following relief(s):-

*“1. That by this application, the Petitioner is invoking the writ jurisdiction of this Hon'ble Court in the nature of writ of certiorari for quashing the Office order containing Memo No. 65 dated 16.01.2024 issued by the Secretary, Bihar School Examination Board (in short "BSEB") Patna whereby and whereunder the petitioner has been dismissed from service in the departmental proceeding initiated on the basis of allegation in the criminal case bearing Kotwali P.S. Case No. 270/2016 in pursuant to the letter dated 30.06.2016 written by the*



*Assistant Superintendent of Police, Patna to the Chairman, Bihar School Examination Board for prosecution sanction which is wholly illegal and without jurisdiction as the letter of Police officer dated 30.06.2016 is itself no evidence in eye of law and hence, the entire departmental proceeding including the impugned punishment is wholly illegal and without jurisdiction.”*

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to challenge the order dated 16.01.2024, passed by the Secretary, Bihar School Examination Board, Patna, by filing appropriate appeal. Liberty so sought is granted.

3. It is needless to state that in case appropriate appeal is filed by the petitioner within a period of two weeks from today, the appellate authority shall decide the same on merits and pass a reasoned and a speaking order, in accordance with law, within a period of six weeks, thereafter.

4. The writ petition stands disposed off on the aforesaid terms.

**(Mohit Kumar Shah, J)**

Saurav/-

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