

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8131 of 2024

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Kanta Kumari Wife of Late Shambhu Prasad Chaudhary, Daughter of Late Gaya Prasad Chaudhary, R/o Jaiswal Tobacco Factory, P.O. and P.S.- Mahnar, District- Vaishali, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Deptt., Govt. of Bihar, New Secretariat, Patna.
2. The Disciplinary Authority - cum - the Regional Deputy Director of Education, Koshi Division, Saharsa.
3. The District Education Officer, Madhepura - cum - the Enquiry Officer.
4. The District Programme Officer (Establishment), Madhepura - cum the Presenting Officer.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Purushottam Kumar Jha, Advocate
For the Respondent/s : Mr. Standing Counsel (13)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-10-2024 Heard learned counsel for the parties.

2. This writ application has been filed for the following reliefs:

(i) Issuance of an order, direction or a writ in the nature of Certiorari quashing the Office Order passed by the Regional Deputy Director of Education, Koshi Division, Saharsa as contained in Memo No. 911 dated 24.08.2021, whereby and where under 100% pension, Gratuity and earned



Leave Salary of the petitioner has been withheld / forfeited.

(ii) A writ in the nature of mandamus may kindly be issued by this Hon'ble Court, commanding the respondents concerned to grant all consequential benefits to the petitioner upon quashing of the order impugned as contained in Memo No. 911 dated 24.08.2021 (Ann - P/1 to this writ petition).

3 . Learned counsel for the petitioner submits that the issued raised in the present writ application is squarely covered by the judgment dated 27.02.2024 passed by this Court in L.P.A. No.1219 of 2023 and other analogous cases.

4. Learned counsel for the State does not dispute the contention made on behalf of the petitioner.

5 . In such view of the matter, the petitioner is directed to file a detailed representation before the respondent no.2 along with all supporting documents within a period of four weeks and the respondent no.2 is well advised to consider the case of the petitioner after affording opportunity of personal hearing or through his counsel and pass a reasoned and speaking order in accordance with law considering the judgment passed in L.P.A. No.1219 of 2023 within twelve weeks thereafter.

6. It is made clear that respondent no.2 shall be held liable for non-compliance of this order within the stipulated



period.

7 With the aforesaid direction, this writ application
stands disposed of.

(Prabhat Kumar Singh, J)

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