

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8226 of 2023

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Md. Umar Farooque @ Md. Umar Farook Son of Late Md. Habib Resident of
Village Shivram, P.O.- Bahera, P.S. Bahera, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Primary Education, Government of Bihar, Patna.
2. The District Magistrate, Darbhanga.
3. The Block Development Officer, Benipur, Darbhanga.
4. The Block Education Officer, Benipur, Darbhanga.
5. The Panchayat Secretary, Gram Panchayat Raj Batho Rathiyam, P.O. and P.S. Benipur, District Darbhanga.
6. The Principal, Primary School, Batho Mushahari, Benipur, District- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Amish Kumar, Advocate Mr. Prabhakar Thakur, Advocate
For the Respondent/s	:	Smt. Binita Singh (Sc28)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-11-2024 Heard learned counsel for the parties.

2. This writ petition has been filed for following
reliefs:-

(i) For issuance of writ in the nature of Certiorari for quashing the office order bearing memo no. 38 dated 7.2.2023 issued by the Panchayat Secretary, Gram Panchayat Raj, Batho Rathiyam, P.O. & P.S. Benipur, District Darbhanga, whereby and whereunder the services of the petitioner as Panchayat Teacher has been terminated with immediate effect without affording the opportunity of hearing to the petitioner.

(ii) For a declaration that the petitioner has already resigned from the post of Panchayat Teacher with effect from 20.10.2020 in compliance to the order



dated 16.10.2020 passed in Cr. Misc. No. 23798 of 2020.

(iii) For direction to the respondent concerned not to give effect/implement the office order bearing memo no. 38 dated 7.2.2023 issued by the respondent no. 5, terminating the services of the petitioner with immediate effect.

(iv) For a direction to the respondent concerned to consider and dispose of the representation filed by the petitioner dated 17.4.2023, which is pending adjudication till date.

3. At the outset, learned counsel for the petitioner submits that that the petitioner may be given liberty to file representation before respondent no. 4 for redressal of his grievance.

4. In view of the nature of prayer made by learned counsel for the petitioner, let the petitioner file such application before respondent no.4 within a period of six weeks from today.

5. In the event, if such application is filed within the said stipulated period, respondent no.4 shall look into the matter and dispose of the same by a reasoned and speaking order in accordance with law after hearing the parties, within a period of eight weeks from the date of receipt of the application.

6. Writ petition stands disposed of with the aforesaid directions.

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(Prabhat Kumar Singh, J)

