

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15212 of 2023

Shwetansh Kumar Son of Shailendra Kumar Sinha, Resident of House of Late Gorakh Tiwary, Near Keshari Bhawani, Hari Ji Ka Harta, Police Station-Dumraon, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Secretary, Human Resources Development Department, Government of Bihar, Patna.
3. The Director, Primary Education, Department of Education, Government of Bihar, Patna.
4. The District Magistrate, Buxar.
5. The District Education Officer, Buxar.
6. The District Programme Officer (Establishment), Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dhanendra Chaubey
For the Respondent/s : Mr. S.K. Ranjan, AC to GP17

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-04-2024 Heard learned counsel for the parties.

2. By the present writ application the petitioner seeks an appropriate writ, order or directions to the Respondents to continue his service and make regular payment of Assistant Teacher with effect from July 2019 till date after setting aside the order issued by the District Education Officer, Buxar under Memo No. 212 dated 27.06.2020 and further to pass any other order/orders to which the petitioners found entitled.

3. At the very outset, learned counsel for the petitioner submits that the grievance of the petitioner stands on similar footing of the petitioners of C.W.J.C. No. 12747 of 2009 and analogous cases passed on 08.01.2010 by this Court, which has



been affirmed by L.P.A. No. 989 of 2010.

4. Needless to state that the Bihar Litigation Policy, 2011, clearly stipulates that if the claim is found covered by any decision of the Court the same shall be given to the person concern without fail.

5. In such view of the matter, office order vide Memo No. 212 dated 27.06.2020 passed by respondent no. 5, is hereby quashed and this writ petition is allowed with a direction to the petitioner to file a detailed representation before the respondent no. 5 (The District Education Officer) along with all supporting documents and judgments/orders within a period of three weeks and the respondent no. 5 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 within eight weeks thereafter.

6. It is made clear that the respondent no. 5 shall be liable for non-compliance of this order within the stipulated period.

(Anjani Kumar Sharan, J)

anand/-

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