

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15436 of 2023

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1. Sanjay Gurmaita Son of Ludar Gurmaita, Resident of Ward No. 06, Village-Barmotara, Champa Nagar, P.S.-, District- Supaul.
 2. Kamal Mandal, Son of Bahuri Mandal, Resident of Village- Basaha, P.S.- Pipra, District- Supaul.
 3. Nand Kumar Purve, Son of Babu jee Purve, Resident of Village-Bhawanipur, Dakshin, Ward No. 06 (Pratapganj), P.S.- Pratapganj, District-Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Government of Bihar, Department of Education Patna.
3. The Director, Department of Education Government of Bihar, Patna.
4. The District Magistrate, Supaul.
5. The District Education Officer, Supaul.
6. The Headmaster Gandhi High School Barmotara, Hulash, District- Supaul.
7. The Headmaster, Jawahar Premlal High School Basaha, Supaul.
8. The Headmaster, S.V.K. Girl High School, Pratapganj, Supaul.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur
For the Respondent/s : Mr. Prabhakar Jha (Gp27)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-12-2024 Heard the parties.

2. This writ petition has been filed for directing the respondents to re-instate the petitioner in service who was working as night guard in the respective High School of the respondent State and whose services have been terminated without any show-cause.

3. In this case counter affidavit has been filed. It is



stated that the petitioners have suppressed the fact that they had earlier filed CWJC No. 6315 of 2019 before this Court for payment of honorarium w.e.f 18.06.2018 in terms of departmental letter no. 988 dated 10.06.2018 as well as for continuance of service. The said writ petition was ultimately heard and disposed of vide order dated 02.04.2019 with liberty to the petitioner to file representation. However, in compliance of the court's order, on receipt of the representation of the petitioner no. 2, a detailed speaking order contained in Memo No. 293 dated 18.02.2022 has been passed whereby claim of the petitioner for continuance of his service as night guard on honorarium has been rejected. However, due honorarium of the petitioner for the period 18.06.2018 to 06.08.2019 has been paid but the said order of termination contained in Annexure-3 has not been challenged by the petitioners till date.

4. In the aforesaid facts and circumstances of the case, I do not find any merit in this writ application hence the same is dismissed accordingly.

(Prabhat Kumar Singh, J)

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