

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16277 of 2024

Wakil Ahmad Ansari @ Wakil Ansari Son of Late Kudus Ansari, resident of
Ward No. 1 Ramnagar, West Champaran, Bihar-845106.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary Department of Education, Patna, Bihar.
2. The Additional Chief Secretary, Department of Education, Patna, Bihar.
3. The Director, Department of Education, Patna, Bihar.
4. District Magistrate, West Champaran, Bihar.
5. District Education Officer, West Champaran, Bihar.
6. District Program Officer (Establishment) Department of Education, West Champaran, Bihar.
7. Block Education Officer, Ramnagar, West Champaran (As Departmental Officer).
8. D.P.O. Middle School Education cum Block Education Officer, Naautan, West Champaran (As Inquiry Officer).
9. Anjani Kumar, currently posted as Clerk in DEO Office, Bettiah, West Champaran.
10. Awhdesh Ram, Previously Posted as Headmaster, Utkramit Middle School Khajuria, Block-Ramnagar, West Champaran, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rishabh Mishra, Advocate, Advocate
For the Respondent/s : Mr.Advocate General

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-10-2024 Heard learned counsel for the petitioner and the State.

2. Writ petition has been filed against letter dated 6.9.2024 (annexure P/18) issued to the petitioner to submit his assertion as well as against orders dated 8.6.2024, 30.12.2022 and 3.12.2022 and charge sheet dated 21.3.2023, as the same are arbitrary, de-horse the rule, malafide and ultra vires.

3. Ordinarily, a writ application does not lie against a charge-sheet or show-cause notice for the reason that it does not give rise to any cause of action. It does not amount to an adverse



order which affects the right of any party unless the same has been issued by a person having no jurisdiction/competence to do so. A writ lies when some right of a party is infringed.

4. In view of this settled proposition of law as well as the submission of learned counsel for the petitioner, this writ petition is disposed of with the liberty to the petitioner to submit reply to the show cause raising the points canvassed in the writ petition as well.

(Prabhat Kumar Singh, J)

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