

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 120 of 2024

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Rajkumar Singh s/o Dwarika Singh, House NO. 34, Street-Gram Kukudha,
P.O.-Kukurahan, District-Buxar. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development, Government of Bihar, Patna.
 2. The Director Primary Education, Government of Bihar, Patna.
 3. The District Education Officer, Buxar.
 4. The District Programme Officer Establishment, Buxar.
 5. The Block Education Officer, Brahampur, District-Buxar.
- Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gyanendra Kumar Shukla, Advocate
Mr. Mayank Prasana, Advocate
For the Respondent/s : Mr. Madhaw Prasad Yadaw, GP-23

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 01-03-2024

Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner has prayed for following reliefs:

i. To issue a writ of certiorari for quashing the order of the District Education Officer, Buxar whereby and whereunder the services of the petitioner has been terminated in a very arbitrary and cavalier manner vide office orders contained in memo no.1245 dated 27.09.2022, pursuant



to the letter issued by the Joint Secretary, Education Department, Bihar, Patna vide memo no.12/training-09/2012-412 dated 24.06.2015 whereby and whereunder the petitioner's teacher training certificate of Lord Buddha Mission Primary Teachers Training College, Katrahan, Vaishali has been declared as not valid which is patently illegal and arbitrary in the eyes of law.

ii. It is further prayed that this Hon'ble court be pleased to hold and adjudicate that the petitioner has been validly appointed on the post of Assistant Teachers pursuant to the order and direction of the Apex Court from the approved list of trained teachers.

iii. It is further prayed for issuance of an appropriate order/orders in the nature of mandamus directing and commanding the respondents to reinstate the petitioner on the place of his posting as Assistant Teacher in the District of Buxar with all consequential benefits.

iv. It is further prayed that this Hon'ble court be pleased to grant any other relief for which petitioner is



found entitled and an appropriate writ/writs direction/directions, order/orders may be issued under the given facts and circumstances of the case.

3. At the very outset, learned counsel for the petitioner submits that the case of the petitioner is squarely covered with the judgment dated 28.08.2023 passed in L.P.A. No.1254 of 2016 and other analogous cases. He further submits that some coordinate Bench of this Court has also passed judgment in the case of others and the petitioner's case stands on similar footing.

4. In view of the fair submission made by learned counsel for the petitioner, in my view, no useful purpose would be served keeping this writ application pending.

5. Accordingly, this writ application is disposed of with a direction to the petitioner to file a representation before the District Programme Officer Establishment, Buxar (respondent no.4) along with the judgment aforesaid and other documents in support of his claim. The District Programme Officer Establishment, Buxar (respondent no.4) shall dispose of the representation of the petitioner by a reasoned and speaking order within four weeks from the date of its receipt.

6. It is made clear that the District Programme



Officer Establishment, Buxar (respondent no.4) shall be personally responsible for non-compliance of this order within the stipulated period.

(Anjani Kumar Sharan, J)

Trivedi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.03.2024
Transmission Date	NA

