

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1341 of 2020

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Md. Rasid Ansari Son of Late Noor Mohammad Ansari, Resident of Village-Fauladpur, Police Station-Sakurabad, District-Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The District Magistrate, Jehanabad.
5. The District Education Officer, Jehanabad.
6. The District Programme Officer (Establishment), Jehanabad.
7. The Block Education Officer, Ratni Faridpur, District-Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar
For the Respondent/s : Mr.Jitendra Kr. Roy 1 (Sc13)

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 25-06-2024 Heard learned counsel for the petitioner and learned counsel for the State.

2. The present writ application has been filed for the following relief/s:-

“(i) For quashing of order dated 08.05.2019 contained in memo no.896 issued under the signature of respondent District Education Officer, Jehanabad.

(ii) For holding that the petitioner was deprived of from performing his duties between 30.12.2015 to November 2017 due to admitted fact on the part of respondent authority.



(iii) For holding the period in which petitioner was kept outside employment/service, is valid period for the purpose of continuity in service as well as for payment of salary and consequential benefits.

(iv) For holding that petitioner is being punished for 'no work no pay' without following any procedure under the uniform service rule/departmental proceeding for even by the District Establishment Committee (Disciplinary).

(v) For any other relief(s) for which he is found entitled in facts and circumstances of the case."

3. Learned counsel for the petitioner submits that due to some anti social pressure, the petitioner has not attended the school for certain period and he gave a representation in this regard, before the Authorities to provide adequate security so that he may join the school and render his services. The same is enclosed at Annexure-3 onward to the writ application. It is further submitted that later on the petitioner joined the school on 21.11.2017.

4. A counter-affidavit is filed on behalf of the State, in which, it is stated that the petitioner was deprived from performing his duties since 30.12.2013 to 30.09.2017, therefore, the Authority has passed the order of no work no pay



(Annexure-12 of the writ application).

5. Considering the aforesaid facts and circumstances, since it is an admitted fact that the petitioner was not working for about four years, I do not find any infirmity in the order passed by the concerned Authority.

6. The present writ application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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