

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10367 of 2022

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Pankaj Kumar son of Late Shivjee Malakar, Resident of Village- Barauni-3, P.O.- Barauni Durhi, P.S.- Teghra, District- Begusarai (Bihar), working as Peon in Plus two RKC High School at and P.S.- Phulwaria, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Director (Secondary Education), Bihar, Patna.
3. The District Education Officer, Begusarai.
4. The Head Master, Plus two RKC High School at and P.S.- Phulwaria, District- Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amaresh Kumar Singh, Adv
For the Respondent/s : Mr. Madanjeet Kumar, G.P.-20

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 20-01-2025 Heard learned counsel for the petitioner and learned counsel for the State.

2. By filing the present writ application, the petitioner has prayed for issuance of an appropriate writ/order/direction to quash the part of the order contained in Memo No. 710 (vidhi) dated 04.12.2017 passed by the Director Secondary Education, Bihar, Patna, whereby it has been ordered not to pay the salary for dismissal period on reinstatement and pay the same as has been done to similarly situated employees dismissed along with the petitioner with consequential benefit.

3. Considering the prayers made on behalf of the



petitioner, I deem it proper to direct the petitioner to file a fresh representation before the District Education Officer, Begusarai (respondent no.3) along with the supporting documents within a period of four weeks from today and the respondent no.3 is directed to consider the representation of the petitioner and pass a reasoned and speaking order within eight weeks from the date of receipt of representation after affording an opportunity of hearing to the petitioner or through his counsel.

4. In case, it is found that the petitioner is similarly situated and his case is standing on similar footing that of one Arun Kumar, who was dismissed from service on 27.06.2000, but later on reinstated with consequential benefits following the order of this Court, then this petitioner too ought to be accorded similar benefits.

5. Needless to state that the District Education Officer, Begusarai (respondent no.3) shall be solely responsible for non-compliance of this order within the stipulated period.

6. With the aforesaid direction, this writ application stands disposed of.

(Anjani Kumar Sharan, J)

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