

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16967 of 2021

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Ravi Ranjan son of Rajendra Prasad resident of Village Fareba Vasa, Beldaur,
P.S. Beldaur, District Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Education,
Government of Bihar, Patna.
2. The District Magistrate, Saharsa
3. The District Programme Officer (Establishment) Saharsa
4. The Block Education Officer, Saur Bazar, District Saharsa
5. The Principal, Teacher Training College (D.I.E.T), Madhepura.
6. The Principal, New Primary School, Shrawan Tola, Chandaaur East, Saur
Bazar, District Saharsa

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Binay Kumar, Advocate
For the Respondent/s : Mr. Amit Bhushan, AC to GP 17

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL JUDGMENT

Date : 04-08-2025

Heard Mr. Binay Kumar, learned counsel appearing
on behalf of the petitioner and Mr. Amit Bhushan, learned AC
to GP 17 for the State.

2. Petitioner has *inter alia* prayed for following reliefs
in the paragraphs No.1 of the writ petition:-

*“(I) For issuance of an appropriate writ,
order or direction commanding the respondent
authorities to permit him to join and discharge his
duty at primary school, Shrawan Tola, Chandaaur
East, Saur Bazar, District, Saharsa.*

*(ii) For issuance of an appropriate writ,
order or direction restraining the respondent
authorities from interfering in his lawful service.*

*(iii) For issuance of an appropriate writ,
order or direction to comply the order dated*



28.01.2019 in Appeal No.1/19 passed by the learned District Appellate Authority, Saharsa by providing him opportunity of hearing and producing his certificates of qualification.

(iv) For issuance of an appropriate writ, order or direction to the respondent authorities to pay the arrears as well as current salary to the petitioner since the date he has been stopped from attaining the school and non-payment of his salary.

(v) For issuance of an appropriate writ, order or direction for grant of any other relief or reliefs, which may deem fit and proper in the facts and circumstances of the case.”

3. Learned counsel appearing on behalf of the petitioner informs that the writ petition was filed during the pandemic period and as such the petitioner could not file his representation in compliance of the order dated 28.01.2019 passed by the District Appellate Authority, Saharsa in Appeal No. 1 of 2019 before the District Programme Officer (Establishment), Saharsha.

4. A counter affidavit has been filed on behalf of the respondent no.3 and from the same, it would appear that against the order dated 28.01.2019 passed by the District Appellate Authority, the State has not chosen to prefer any appeal before the State Appellate Authority.

5. *Per contra*, Mr. Amit Bhushan, learned counsel appearing on behalf of the State submitted that the petitioner has himself caused much delay in not complying with the direction as has been given by the District Appellate Authority.



He further submitted that if the petitioner approaches the District Programme Officer (Establishment), his grievance will be redressed in accordance with law.

6. Having considered the rival submissions made on behalf of the parties, I find that the petitioner being aggrieved by the order passed by the District Programme Officer (Establishment) contained in memo no.1665-3 dated 20.10.2018, preferred appeal before the District Appellate Authority, Saharsa. The District Appellate Authority after giving opportunity of hearing to respective parties had directed the petitioner to produce his all testimonials before the District Programme Officer (Establishment), Saharsa. Specific statement has been made in the counter affidavit that the petitioner was appointed *vide* Memo No. 5 dated 04.05.2015 issued by the Member Secretary-cum-Panchayat Secretary and the petitioner had joined on 01.06.2015 as Panchayat teacher of the Punnet Lal Yadav Primary School, Shrawan Tola, Chandaur East Saur Bazar, District Saharsa, Bihar. In between vide order passed in CWJC No.15449 of 2014, this Court had directed for examination of the certificate in respect of the educational qualification of all the Niyojit teachers appointed within the said period. The petitioner had not furnished the certificate and



the petitioner's service was terminated. The District Appellate Authority having found that no opportunity was granted to the petitioner, the petitioner was given another opportunity *vide* order dated 28.01.2019 for submission of the certificate. The petitioner on his own has not furnished the original certificate for verification in respect of his appointment in support of the genuinity of the certificate which he has furnished at the time of appointment as a Panchayat Teacher *vide* memo no.5 dated 04.05.2015. This Court can only observe that the petitioner has remained indolent by not abiding by the order passed by the District Appellate Authority. In the meantime, the entire globe suffered from Covid 19 pandemic.

7. In such circumstances, the petitioner, if so desire, may approach before the District Programme Officer (Establishment), Saharsa and produce all the testimonials for verification. In want of any information, whether the petitioner is working till date or not, the said fact is required to be verified by the District Programme Officer (Establishment). If the documents / testimonials of the petitioner are found to be genuine, the petitioner is entitled for the relief as prayed for in the present writ petition.

8. The writ petition is, accordingly, disposed of.



9. There shall be no order as to cost.

(Purnendu Singh, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.08.2025
Transmission Date	NA

