

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20757 of 2021

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Chandrashekhar Kumar S/o Shankar Chaudhary, r/o Vill.- Chaklado, PO-
Jandaha, P.S.- Jandaha, Distt. - Vaishali, at present Asst. Teacher, Middle
School, Naromurar, P.S. Warsaliganj, Distt.- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources
Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Human Resources Department, Govt. of Bihar,
Patna.
3. The Director, Education Department Govt. of Bihar, Patna.
4. The Adll. Director, Education Department, Govt. of Bihar, Patna.
5. The District Education Officer, Nawada at Nawada.
6. The District Programme Officer, (Estb.), Nawada.
7. The Block Development Officer, Warsaliganj, Block, Warsaliganj, Distt.
Nawada.
8. The Block Education Officer, Warsaliganj, Block, Warsaliganj, Distt. -
Nawada.
9. The Chairman, Warsaliganj Block, Teacher, Selection Committee, cum
Pramukh, Warsaliganj, Block, Nawada.
10. The Head Master, Middle School, Naromurar, P.S.- Warsaliganj, Distt.
Nawada.

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 08-05-2025 Heard Mr. Amresh Kumar Sinha, learned counsel

 appearing on behalf of the petitioner and Mr. Amit Bhushan,

 learned AC to GP-17 for the respondent/s.



2. The petitioner in paragraph no. 1 of the present writ petition has sought *inter alia* following relief(s), which is reproduced hereinafter:

"(i) To issue writ(s) "CERTIORARI" in nature setting aside the order as contained in letter no. 1948 dt. 19/08/2020 issued under signature of District Education Officer, Nawada, respondent no. 5 by which he has declared the employment of Petitioner and others to be illegal as the seats of 2nd Phase employment of teachers of Warsaliganj Block was carried forward in their phase 2012 employment since the employment of teachers in warsaliganj Block was not completed with in time and hence all employment made later on is illegal since there was no any seats left for 2008 vacancies.

(ii) Further to issue writ "MANDMUS" in nature, directing the respondents authorities to pay the due salary of the petitioner which is dues from 03/11/18 to till date.

(iii) Further direction may be issued to Head Master, Middle School, Naromurar, PS-Warsaliganj, Distt. Nawada, respondent no. 10, who is not allowing the petitioner to make attendance after the order of D.E.O., Nawada respondent no. 5, although the employment of petitioners has not been cancelled till date by the appropriate authorities.

(iv) To any other relief(S) for which petitioners are entitled for in the facts and circumstances of the case."

3. Considering the fact that the concerned respondents have not challenged the order dated 29.05.2012 passed by the District Teacher Employment Appellate Authority in Appeal No. 363/11/2010 before the State Appellate Authority, then they have no option than to comply with the aforesaid order and communicate to the petitioner if he does not deserve to be adjusted against the vacant post.



4. Accordingly, the present writ petition stands disposed of.

(Purnendu Singh, J)

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