

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13863 of 2024

Chandrajyoti, W/o Jai Prakash, Resident of Nehru Nagar, Arjunpur, P.O. and
P.S. and District- Buxar. (Retired Assistant Teacher, D. K. Kanya Madhya
Vidyalaya, Buxar. Petitioner/s

Versus

1. The State of Bihar through it Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretatry, Education Department, Government of Bihar, Patna.
3. The Director, Secondary Education, Government of Bihar, Patna.
4. The Regional Deputy Director of Education, Patna Pramandal, Patna.
5. The District Education Officer, Buxar.
6. The District Programme Officer (Establishment), Buxar.
7. The District Programme Officer (Secondary Education)- Cum-Enquiry Officer, Buxar.
8. The Programme Officer-cum-Presenting Officer, Office, Regional Deputy Director of Education, Patna Pramandal, Patna.

... ... Respondent/s

Appearance :

For the Petitioner/s : Mr.Rama Kant Singh, Adv.
For the Respondent/s : Standing Counsel (28)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

4 11-09-2025 Heard the parties.

2. The present writ petition has been filed for the
following relief(s):-

“That this is an application for issuance of appropriate writ (s)/ direction (s) to the respondents for quashing and setting aside of the order as contained in memo no. 1515 dated 22.12.2023 passed and issued by the Regional Deputy Director of Education, Patna Pramandal, Patna (Respondent No. 4) whereby and whereunder all retirement benefit of the petitioner has been withheld and further as a consequence, Respondents may be directed to release the all retirement benefits to the petitioner.

And/Or for grant of any other appropriate relief (s) to which the petitioner may be found entitled to in the eye of law as



per the facts and circumstances of the case.

3. Learned counsel for the petitioner submits that the petitioner was duly appointed as Assistant Teacher on 28.02.1981 by the concerned authorities under Lower Subordinate Services (female cadre) and accordingly, she joined and started working. All of a sudden, in the year 1998 in view of certain order passed in CWJC No. 9847 of 1988 whereby the certain directions were issued by the Respondent authorities, and the CBI enquiry was held with regard to illegality/irregularities, which is said to have occurred in the matters of appointment and the petitioner was subjected to such enquiry and ultimately in the year 2023, the impugned order as contained in memo no. 1515 dated 22.12.2023 was passed. It has next been submitted that this Court in LPA No. 1212 of 2023 *vide* judgment dated 27.02.2024 has decided the core issue with regard to the appointment and alleged irregularity, which is said to have occurred in the matters of appointment of the petitioner and other similarly situated persons. All other similarly situated persons who have moved to this Court challenging the impugned action of the authorities concerned was set aside the authorities were directed to considered their cases in the light of ratio laid down in the aforesaid Letters



Patent Appeal No. 1212 of 2023, which according to the petitioner squarely covers his case. Accordingly, learned counsel for the petitioner submits that the present writ petition may also be directed to be considered in the same terms.

4. On the other hand, learned counsel for the State submits that this matter may be directed to be considered in terms of the judgment passed in Letters Patent Appeal No. 1212 of 2023.

5. Considering the facts as available on record and the submissions of the learned counsel for the petitioner, the present writ petition stands allowed in view of order dated 27.02.2024 passed in Letters Patent Appeal No. 1212 of 2023 by setting aside the order impugned contained as in memo no. 1515 dated 22.12.2023 passed by the Regional Deputy Director of Education, Patna Pramandal, Patna for taking final decision in the matter in similar terms if the case of the petitioner is found similar.

6. It is made clear that this Court has not passed anything on merit.

(Ajit Kumar, J)

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