

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14747 of 2017

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Braj Kishore Sharma Son of Late Ramashray Singh @ Ramashray Sharma,
Resident of Village P.O.- Munjed, P.S.- Haspura, District- Aurangabad.

... .. 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, Govt. of Bihar, Patna.
4. The District Magistrate, Aurangabad.
5. The Sub Divisional Officer, Daudnagar, Aurangabad.
6. The District Education Officer, Aurangabad.
7. The District Programme Officer, Establishment, Aurangabad.
8. The Block Development Officer, Haspura, Aurangabad.
9. The Block Education Officer, Haspura, Aurangabad.
10. The Panchayat Selection Committee, Ghusuri, Haspura, through its Mukhiya, Panchayat Ghusuri, Block-
11. The Mukhiya, Panchayat Ghusuri, Block Haspura, District- Aurangabad.
12. The Panchayat Secretary, Panchayat Ghusuri, Block Haspura, District- Aurangabad.
13. The Bihar School Examination Board Patna (Bihar).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Respondent/s : Mr. A. R. Pandey

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

15 04-12-2025 Heard learned counsel for the petitioner, learned

counsel appearing for the respondent-State and learned counsel

for the Bihar School Examination Board.

2. The petitioner in the present writ application has

mainly challenged the order dated 10.06.2009 passed by the



Panchayat Sachiv of Ghusuri Panchyat, Block Haspura, District- Aurangabad whereby the services of the petitioner as Panchayat Shikshak, at Govt. Middle School Tellauli has been cancelled on the basis of order and instruction issued by the superior authorities.

3. Learned counsel for the petitioner submits that prior to passing the impugned order dated 10.06.2009 (Annexure-1), no opportunity of hearing was granted to the petitioner and the appointment was cancelled abruptly with immediate effect.

4. Learned counsel appearing for the respondent-State is unable to satisfy this Court as to how such an order could be passed without compliance of Principles of Natural Justice.

5. Considering the submissions made by the parties, this Court is of the view that the impugned order dated 10.06.2009 passed by Panchayat Sachiv of Ghusuri Panchayat, Block- Haspura, District- Aurangabad is bad in law for not adhering to the Principles of Natural Justice and hence the same is set aside.

6. The petitioner is directed to be reinstated in service. However, so far as back wages is concerned, taking into account the fact that petitioner came into an employment as



contractual employee, therefore, only 50% back wages would be payable to the petitioner. After reinstating the petitioner, the respondent authorities would be at liberty to proceed afresh against the petitioner following the due process of law and giving opportunity of hearing to the petitioner.

7. With the aforesaid observation and direction, this writ application is allowed in the aforesaid terms.

(Alok Kumar Sinha, J)

Ranjeet/-

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