

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18342 of 2025

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Ajay Kumar Ram S/o Sri Ramugrah Ram, R/o Nauka Tola, Village Daunha,
PS Dhanha, Block Madhubani, District West Champaran (Bettiah).

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, West Champaran, Bettiah.
2. The District Magistrate, West Champaran, Bettiah.
3. The Sub-Divisional Magistrate, Bagha, West Champaran, Bettiah.
4. The District Education Officer, West Champaran, Bettiah.
5. The In-Charge Officer, District Law Office, West Champaran, Bettiah.
6. The Head Master, Upgraded Middle School, Pakrihawa, Daunha, Madhubani Block, West Champaran, Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Srivastava
For the Respondent/s : Addl. Advocate General (05)

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 17-11-2025 Heard learned counsel for the petitioner and

learned counsel for the State.

2. The instant writ application has been filed by the

petitioner for the following reliefs:-

(i) For quashing the order dated 17.02.2025 passed in File No.03-45/2024 by Respondent No.2, the District Magistrate, West Champaran, Bettiah, whereby, in complete disregard of the petitioner's case and the order of this Court dated 13.08.2024 in CWJC No.12312 of 2021, the respondent has declined to consider the petitioner for appointment to the post of Tola Sewak of Rajkiya Upgraded Middle School, Pakrihawa, Daunha, Madhubani Block, West Champaran, Bettiah, and has instead directed a fresh selection process.



(ii) For directing the respondents to appoint the petitioner on the post of Tola Sevak in Rajkiya Upgraded Middle School, Pakrihawa, Daunaha, Madhubani Block, West Champaran, Bettiah as per higher marks in merit list.

(iii) For restraining the respondents not to make fresh selection of Tola Sewaks of Rajkiya Upgraded Middle School Pakrihawa, Daunaha, Madhubani Block, West Champaran, Bettiah till the disposal of this application.

(iv) For directing the respondents to consider the petitioner's representation dated 21.03.2025 and appoint him to the post of Tola Sewak in Rajkiya Upgraded Middle School, Pakrihawa, Daunha, Madhubani Block, West Champaran, Bettiah. It is submitted during the hearing of CWJC No.12312 of 2014, the petitioner's original certificates were examined, but the Headmaster of Government Higher Secondary School, Pakrihawa, Daunha, Madhubani Block, submitted a false report, resulting in cancellation of the petitioner's certificates. The petitioner had submitted the application on 03.06.2014 in accordance with Bihar Government guidelines, a copy of which is annexed. The petitioner humbly prays that his appointment may be confirmed after reviewing the report and verifying the school's application submission register, which has not yet been considered.

(v) Pass such other order(s) as this Court may deem fit and proper.

3. From the impugned order appended to the writ application as Annexure P/A, it appears that on the date of hearing i.e. on 30.09.2024, certain reports were submitted by the District Education Officer vide letter no. 279 dated 29.09.2024.



The details of these reports are indicated in the impugned order; however, from its recital, it does not appear that the said reports were supplied to the petitioner to enable him to file his response before a final conclusion was arrived. This conclusion, recorded in memo no. 672 dated 21.02.2025 and challenged by the petitioner, is assailed on the ground that it is in violation of the principles of natural justice.

4. At this stage, learned counsel for the petitioner submits that the petitioner had filed a representation on 21.03.2025 before the District Magistrate, West Champaran, Bettiah, raising the issue of violation of the principles of natural justice. However, this representation has not been addressed or decided till date.

5. Learned counsel for the State submits that appropriate directions may be issued to the District Magistrate, West Champaran, Bettiah, to decide the petitioner's representation within a fixed time.

6. After hearing the parties, this Court is of the view that when a violation of the principles of natural justice is alleged in a matter where rights were to be decided in terms of the directions of this Court, the concerned authorities were required to give the petitioner a proper opportunity of hearing



and allow him to defend himself. This requirement appears to have been violated.

7. Accordingly, this Court directs that the representation filed by the petitioner, which is enclosed with the writ application as Annexure P/9, shall be adjudicated by the concerned authority after giving the petitioner a proper opportunity of hearing. The same shall be done within a period of six weeks from the date of receipt or production of a copy of this order, and the final order shall thereafter be communicated to the petitioner within a further period of two weeks.

8. With the aforesaid observations and directions, the instant writ application stands disposed of.

(Ajit Kumar, J)

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