

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18121 of 2023

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Avinash Kumar Son of Laldev Ram Resident of Village-Nainijor, P.S.-
Guthani, District-Siwan, Pin-841239.

... .. Petitioner/s

Versus

1. The State of Bihar Through The Additional Chief Secretary, Department of Education, Government of Bihar, Patna-800001.
2. The District Education Officer (Establishment), Siwan-841435.
3. The District Programme Officer, (Establishment), Siwan-841435.
4. The Prakhanda Pramukh Cum-the Chairman Of Block Teacher Employment Committee, Block -Mairwa, Siwan-841435.
5. The Block Development Officer- Cum -the Member Secretary Block Teachers Employment Committee, Block-Mairwa, District-Siwan-841435
6. The Block Education Officer Cum Secretary, Mairwa, District-Siwan-841435.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shekhar Singh, Adv. Mr. Sumit Kumar, Adv.
For the Respondent/s	:	Dr. Mankeshwar Tiwary, AC to AAG-3

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-01-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. This writ petition has been filed for the following
reliefs:

*“a. For quashing of the office order
contained in Memo no. 131, dated
03.02.2023 issued by the Block
Development Officer-cum-the Member
Secretary Block Teachers Employment
Committee, Block-Mairwa, District-Siwan
whereby the service of the petitioner have
been terminated with immediate effect.*



b. For issuing direction to the respondent authorities to reinstate the petitioner in service and to grant him appropriate time to complete teachers training in the facts and circumstances of this case.

c. For a direction to the respondent authorities to pay the salary of the petitioner with effect from the date of his engagement made vide order dated 27.09.2022.”

3. Learned counsel for the petitioner submits that the service of the petitioner was terminated without giving him a show cause notice or without initiating any departmental proceedings.

4. Learned counsel for the State has no objection to the submissions of learned counsel for the petitioner.

5. Considering the facts and circumstances of the case, I am of the opinion that there is complete violation of principles of natural justice.

6. Accordingly, the order dated 03.02.2023 passed by Block Development Officer-cum-the Member Secretary Block, Teachers Employment Committee, Block-Mairwa, District-Siwan is set aside directing the respondent concerned to reinstate the petitioner in service and conduct a departmental proceedings giving him an opportunity to file show cause reply.



The respondent is also directed to pay the consequential benefit of the petitioner.

7. The writ petition is allowed.

(Anjani Kumar Sharan, J)

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