

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1875 of 2026

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Ranjay Kumar Son of Panchdeo Prasad, At present residing at Gopalganj, P.O. and P.S. Gopalganj, District Gopalganj, Address as per Aadhar Card is District Education Office, Gopalganj, District- Gopalganj. At present posted and working as Head Clerk in the office of the District Education Officer, Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Secondary Education, Govt. of Bihar, Patna.
4. The Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
5. The Regional Deputy Director of Education, Saran Division, Chapra.
6. The District Education Officer, Gopalganj.
7. The District Programme Officer (Establishment), Gopalganj.
8. The District Education Officer, Siwan.
9. The District Programme Officer (Establishment), Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate
For the Respondent/s : Mr. Standing Counsel (06)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-02-2026 Heard learned Counsel for the petitioner and learned
Counsel for the State.

2. The present writ petition has been filed with the
following reliefs:-

“I. For issuance of an



appropriate writ in the nature of certiorari for quashing of punishment order contained in memo no. 1067 dated 12.08.2022 issued by the Regional Deputy Director of Education, Saran Division, Chapra, by which, though he has exonerated the petitioner from departmental proceeding but has imposed two punishments upon the petitioner, namely, (1) stoppage of two increments with non-cumulative effect (2) A warning has been given to remain devoted in discharge of duties and do not do anything which is unbecoming of a Government Servant. Apart from that, a direction has also been for entry of the aforesaid punishment in the service book of the petitioner, without considering the fact that the Enquiry Officer-cum- the District Education Officer, Siwan in his enquiry report has found that the allegations against the petitioner is not fully proved, which fact has also been discussed by the Regional Deputy Director of Education, Saran Division, Chapra, while issuing second show-cause to the petitioner vide letter no. 897 dated 19.07.2022.



II. For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to remove the aforesaid two punishments i.e. stoppage of two increments with non-cumulative effect and to warning to remain devoted in discharge of duties and do not do anything which is unbecoming of a Government Servant and also to remove the said punishment from his service book, as there is no such allegation against the petitioner which warranted any punishment especially when the allegations was not found to be fully proved in the enquiry but the Regional Deputy Director of Education, Saran Division, Chapra without properly appreciating the show-cause replies of the petitioner as also the enquiry report has imposed such punishment which is absolutely arbitrary and unjustified.

III. For issuance of an appropriate writ as an alternative prayer of the petitioner for direction to the Director, Secondary Education, Govt. of Bihar, Patna to dispose of the appeal of the petitioner dated



28.08.2022 by reasoned and speaking order by taking a sympathetic view for removal of the aforesaid punishment imposed by the Regional Deputy Director of Education, Saran Division, Chapra, as there is no such proved allegations, which required any punishment against the petitioner.

IV. For issuance of any other writ/writs, order/orders, direction/directions for which the petitioner would be entitled in the facts and circumstances of the present case.”

3. Learned Counsel for the petitioner fairly submits that his appeal is pending before respondent No.3, the Director, Secondary Education, Government of Bihar, Patna, on which no order has been passed till date. Counsel submits that in addition to other relief he has also demanded alternative relief from the Director, Secondary Education.

4. Learned Counsel for the State, on the other hand, submits that as per the prayer his appeal is pending.

5. In this view of the matter, this Court without entering into merit or demerit of this case, directs respondent No.3, the Secondary Education, Government of Bihar, Patna, to pass order on the appeal preferred by the petitioner, within 60



days from the date of receipt/production of a copy of this order.

(Dr. Anshuman, J)

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