

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11798 of 2019

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1. Shashi Bhushan Singh Son of Sri Jag Narayan Singh, Resident of Village-Chargoriya P.O. Marojhiya, P.S. Nasriganj, District- Rohtas.
 2. Sunil Kumar, Son of Sri Jag Narayan Singh, Resident of Village-Chargoriya, P.O. Marojhiya, P.S. Nasriganj, District- Rohtas.
 3. Jai Prakash Ram, Son of late Dudh Nath Ram, Resident of Village- Parariya, P.O. Burhwal, P.S. Karakat, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director Primary Education Government of Bihar.
2. The District Education Officer, Rohtas at Sasaram.
3. The District Programme Officer(Establishment), Rohtas at Sasaram.
4. The Block Development Officer Karakat , P.S.Karakat, District- Rohtas at Sasaram.
5. The Block Education Officer Karakat P.S. Karkat District- Rohtas at Sasaram.
6. The Headmaster Upgraded Middle School Baad, Anchal- Karakat, District-Rohtas at Sasaram.
7. The Headmaster Upgraded Middle School, Amarthia, Anchal- Karakat, District- Rohtas at Sasaram.
8. The Headmaster, Primary School, Jahanpura, Anchal- Karakat, District-Rohtas at Sasaram.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh
For the Respondent/s : Mrs. Shilpa Singh (Ga12)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

10 12-01-2026 Learned counsel for the petitioners and learned
counsel for the respondents are present.

2. The instant writ application has been filed for
setting aside the order under Memo No. 1-281, Sasaram, dated
31.01.2019, issued by the District Programme Officer



(Establishment), Rohtas, Sasaram, directing the dispensation/termination of the services of the petitioner and the remaining 12, referring to the order of the Director, Primary Education, under Letter No. 1374, dated 24.10.2018, without due consideration of the facts and law, and in disregard of the order passed by the District Teacher Employment Appellate Authority, Rohtas, on 07.06.2011. The order was passed without observing the requirement of natural justice, in light of the settled principle that the right to a hearing is a basic and elementary legal right, and for other necessary reliefs to which the petitioner may be found entitled.

3. Learned counsel for the petitioners by taking attention of this Court to the order passed by this Court vide order dated 22.09.2025 passed in CWJC No.10412 of 2019 submits that the issue is related to the dispute of degrees obtained from Navbharat Shiksha Parishad, Orissa has already been adjudicated and appropriate direction has already been issued for making appropriate consideration by the authorities concerned and to buttress his submission, he refers to para-5, 6 and 7 of the said order which is extracted hereinbelow:-

5. Now, since the adjudication which has already been made by the District Appellate Authority and



the respondents themselves have chosen not to assail the said order before the higher forum and that order having attained finality, therefore, the impugned order dated 31.01.2019 cannot be allowed to sustain.

6. Since, the deceased employee, who is said to have been appointed pursuant to the recommendation of the selection committee constituted in this behalf and the impugned order dated 31.01.2015 had been stayed by the Co-ordinate Bench vide order dated 01.03.2015 passed in C.W.J.C. No.23556 of 2018 which was also to be maintained qua the petitioner, who is said to have died during the pendency of the writ petition on 08.10.2022 leaving behind a daughter aged about 21 years as his sole heir and the order of the Appellate Authority having attained finality, the impugned order is unsustainable and is accordingly, set aside.

7. The respondents are accordingly directed to undertake the process of settling the death cum retiral benefits in respect of the deceased respondent and further, the claim made by the daughter of the deceased employee for compassionate appointment, shall also be examined and be considered in accordance with law. The petitioner is directed to make a representation with regard to compassionate appointment separately and as also with regard to payment of death cum retiral benefits and on submission of such application / representation with supportive materials, the respondent shall be obliged to take a final decision and benefits which accrues in favour of this petitioner shall be paid within a further period of eight weeks and her application filed for compassionate appointment will also be considered within the same time, strictly in terms of the guidelines framed by the State Government.



4. He further submits that similar directions may be issued in the case of these petitioners by directing the authorities to adjudicate their claims.

5. On the other hand, learned counsel for the State has no objection to the submissions advanced on behalf of the petitioners and submits that, since similar issues have already been adjudicated by the coordinate Bench of this Court in CWJC No. 23556 of 2018, similar directions may accordingly be issued.

6. In view of the foregoing submissions, the petitioners are directed to file a representation before Respondent No. 2, along with all supporting materials and a copy of this order, within a period of four weeks from today. On receipt of such representation, Respondent No. 2 is directed to adjudicate the petitioners' claims within a further period of eight weeks, in accordance with the guidelines issued by the State Government.

7. It is made clear that if, upon adjudication, the petitioners are found to be entitled to any monetary benefits, the same shall also be extended in their favor within the same time.



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

(Ajit Kumar, J)

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