WEB COPY NOT OFFICIAL

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5177 of 2015

==========

Mantu Kumari, wife of Sri Amol Kumar Jha, resident of Village – Chainpur, P S – Bangaon, District – Saharsa, at present Assistant Teacher, Primary School, Harijan Colony, Bariahi (Saharsa)

.... Petitioner/s

Versus

1. The State of Bihar through the principal Secretary, Human Resources Development Department, Bihar, Patna.
2. The District Establish Committee through the District Magistrate, Saharsa.
3. The District Magistrate-cum-Chairman, District Establishment Committee, Saharsa.
4. The District Education officer, Saharsa.
5. The District Programme officer, Saharsa.
6. Block Education Officer, Kahra, Kahra Block, Saharsa.
7. The Incharge Headmistress, Primary School, Harijan Colony, Bariahi, P.S.- Barigaon, District- Saharsa.
8. The District Superintendent of Education, Saharsa.

.... Respondent/s

==========

Appearance :
For the Petitioner/s : Mr. Tara Nath Jha
For the Respondent/s : Mr. SC14- DR. ANSHUMAN
Mr. Kuber Pathak, AC to SC 14

==========

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 01-07-2015

Writ application is dismissed because in terms of the previous direction of the Court, deliberation and exercise has been made. The facts and figures, which emerge from the deliberation, are duly recorded in Annexure-11, which surely disentitles the petitioner from grant of any payment of salary for the period of unauthorized leave which is for more than 3 years.

Merely because petitioner's elder sister was a Headmistress of the school, it does not mean that the Institute becomes a family

arrangement for the petitioner to act according to her convenience. Petitioner is a government servant and governed by rules and service conditions if not discipline as a school teacher.

The facts being what they are, no interference is warranted with Annexure-11.

The stand of the State in the counter affidavit only demonstrates the thing which has emerged from Annexure-11.

Writ application is dismissed.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

U			