

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6360 of 2015

=====

Smt. Pratima Kumari W/o - Sri Shyama Kant Pandey R/o - Anunodaya Bhawan, Opposite Town Thana Hospital Road, Motihari, East Champaran, Principal In-charge, Rajkiya Utkramit Madhya Vidyalaya, Majurahan, Tulkauliya, East Champaran, Motihari.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Human Resource Development and Education Department, Bihar, Patna.
2. The District Magistrate, East Champaran, Motihari.
3. The District Education Officer, East Champaran, Motihari.
4. Block Education Officer, Turkauliya, East Champaran.
5. District Programme Officer (Establishment), East Champaran, Motihari.
6. District Mid-Day Meal Incharge (Madhyan Bhojan Yojna Padadhikari), East Champaran, Motihari.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Radha Mohan Pathak, Adv.

For the Respondent/s : Mr. Ram Balak Mahto, AG

=====

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 24-07-2015 Heard learned counsel for the parties.

Having regard to the fact that the impugned order of suspension dated 25.11.2014 has already come to an end on account of the order of minor punishment inflicted against the petitioner, this application has become infructuous.

The only remaining submission to be noted that the petitioner, on account of ill health, is not in a position to discharge the function of the Principal In-charge of Rajkiya Utkramit Madhya Vidyalaya, Majurahan, Tulkauliya, East Champaran, Motihari, is an aspect which can be examined by the District

Programme Officer (Establishment), East Champaran, inasmuch as, if the petitioner has been left only with a service of less than one year and is not in a position to take on herself, the onerous responsibility of the post of Headmistress/In-charge Headmistress, it will be always auger well for the administration not to force the petitioner to work as In-charge Headmistress which may again lead to a situation of her being suspended and subjected to another order of punishment.

That being so, if the petitioner approaches the District Programme Officer (Establishment) with a representation with regard to her for not again forced to remain as a In-charge Headmistress, Such grievance will be examined by the competent authority and if necessary also place the matter before the Committee which has been vested with power of transfer and function of the post held by the petitioner.

With the aforementioned observation and direction, this application is disposed of.

(Mihir Kumar Jha, J)

Rishi/-

U			
---	--	--	--