

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2732 of 2015

1. Anupama Kumari wife of Surendra Kumar, resident of village + P.O.-
Chihantra, P.S.- Maner, District- Patna, at present posted as Panchayat
Teacher in Primary School, Harijan Toli, Chhiantar, P.S. & Block- Maner,
District- Patna

.... Petitioner/s

Versus

- 1. The State of Bihar
- 2. The Principal Secretary H.R.D., Bihar, Patna
- 3. The Director, Primary Education Bihar, Patna
- 4. The District Magistrate, Patna
- 5. The District Education Officer, Patna
- 6. The District Programme Officer (Est.), Patna
- 7. The Block Education Officer, Maner
- 8. Anil Kumar Panchayat Teacher posted at Primary School Harijan Toli,
Chhiantar, P.O. & P.S.- Maner, District- Patna

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha
For the Respondent/s : Mr. Anil Kumar

**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR
TRIPATHI**

ORAL ORDER

2 16-02-2015

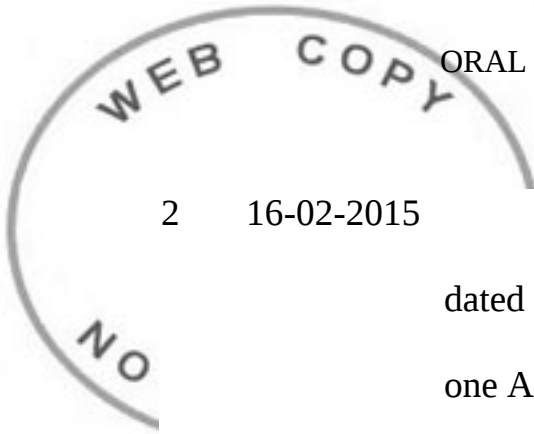
The petitioner is challenging Annexure-5 , which is an order dated 4-12-2014 directing the petitioner to hand over charge to one Anil Kumar Singh, another Panchayat Teacher.

The Director, Primary Education has given clear instruction that no Panchayat teacher is going to be Incharge of a School. However, in gross violation of such direction the Block Education Officers are continuing to either nominate or pass orders appointing Panchayat teachers as Incharge of schools. These are serious violations of the directive of the Director, Primary Education.

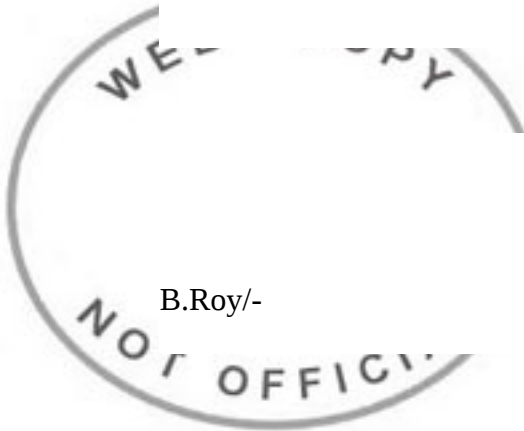
In view of the same, Annexure-5 is quashed. It is made clear that the Block Education Officer, Maner will not issue any order either in favour of the petitioner or in favour of any other Panchayat teacher. If there are no regular teachers and there are no Incharge at all, let the chaos prevail.

The Director is also directed to issue show cause to the Block Education Officer, Maner why she has issued order in violation of the directive issued by him.

The writ application is dismissed. Let a copy of the



order be sent to the Director, Primary Education, for follow-up
action.



B.Roy/-

(Ajay Kumar Tripathi, J)

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