

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.922 of 2016

IN

C. REV. 34 of 2016

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Mohatarma Firdaus Khanam @ Firdaus Khanam, Wife of Rizwanullah Khan
Resident of Mohalla - M.M. Colony, Siwan, Post Office and Police Station Siwan
Nagar, District - Siwan

.... Appellant

Versus

1. The State of Bihar, through the Director, Secondary Education, Govt. of Bihar, Patna
2. The Director, Secondary Education Department, Government of Bihar, Patna
3. The District Education Officer, Siwan
4. The Managing Committee Daud Memorial under Girls High School, Siwan, District Siwan, through its Secretary
5. The Secretary Daud Memorial under Girls High School, Siwan, District - Siwan

.... Respondents

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Appearance :

For the Appellant : Mr. Manan Khan,
Mr. Shubh Narain Singh, Advocates

For the Respondents : Mr. Sunil Kumar Mandal, SC 3

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

And

HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 18-11-2016

Heard learned counsel for the appellant and learned
counsel for the respondents.

2. The challenge in the present Letters Patent Appeal is to
an order passed by the learned Single Bench on 2nd of March, 2016 in
Civil Review No. 34 of 2016 directed against an order dated 8th of
December, 2015 whereby the Appellant was permitted to avail
remedy of civil suit.

3. The prayer is that instead of approaching the Civil

Court, the appellant may approach the Tribunal constituted in terms of the judgment of the Supreme Court in T.M.A. Pai Foundation and others Vs. State of Karnataka and others, (2002) 8 Supreme Court Cases 481.

4. Mr. Sunil Kumar Mandal, learned counsel for the respondents, has no objection to such remedy being availed by the appellant.

5. In view of the above, the present Letters Patent Appeal is disposed of with liberty to the appellant to approach the Tribunal so constituted for redressal of her grievances in accordance with law. The Tribunal shall entertain and decide such appeal on merits, if an appeal is preferred before the Tribunal within four weeks from today.

(Hemant Gupta, J)

B.T/Ibrar

(Vikash Jain, J)

AFR/NAFR	NAFR
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