

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5130 of 2013

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Kumari Asha Kiran W/O Shree Vijay Kumar Sinha Assistant Teacher,
Kamla Nehru Project Girls High School- Chandashi, Police Station-
Noorsarai, District- Nalanda, At Present R/O Mohalla- Professor Colony,
P.S.- Biharsharif, District- Nalanda

.... Petitioner/s

Versus

1. The State Of Bihar Through Its Principal Secretary Department Of Education, Government Of Bihar, New Secretariat, Vikas Bhawan, Patna
2. The Principal Secretary Department Of Education, Government Of Bihar, New Secretariat, Vikas Bhawan, Patna
3. The Director (Secondary Education) Department Of Education, Bihar Secondary Education Office, Budh Marg, Patna
4. The District Education Officer, Nalanda

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bijay Kumar Pandey, Adv.

For the Respondent/s : Mr. Arvind Kumar, AC to SC-28

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 22-02-2016 Heard learned counsel for the petitioner and counsel
for the State.

In this case, the petitioner has a limited grievance that her service has not been recognized with effect from 1.1.1989 and, as such, she has been deprived of financial benefit as well as seniority in the selection list.

Instead of going to the merit of the case, learned counsel for the State has drawn attention of this Court towards letter dated 9.9.2015 specially paragraph nos. 2, 3 & 4 of the counter affidavit which shows that her entitlement of absorption in



the project school has not been decided finally. As the senior authority has directed the District Education Officer, Nalanda to take a decision with regard to absorption of the petitioner with effect from 1.1.2009 or 25.1.2000 or the date she has obtained training or any other date from which date the petitioner will be entitled to arrear of salary and seniority. As the issue is lying in the domain of the District Education Officer, Nalanda, he will be obliged to decide the case of the petitioner from which date she will be entitled to consequential relief. The District Education Officer, Nalanda is directed to take a decision within a period of two months from the date of receipt/production of a copy of this order.

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

(Shivaji Pandey, J)

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