

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5154 of 2013**

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Bibha Kumari W/O Sri Rajendra Singh Resident Of Village And P.O.-  
Chamanpura, P.S.- Baikunthpur, District- Gopalganj, At Present Working  
As Assistant Teacher, In Lalpari Devi Girls High School, Goriakothi, Siwan  
..... Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Secondary Education, Government Of Bihar, Budh Marg,  
Patna
3. The District Education Officer, Siwan
4. The Headmaster/Headmistress, Lalpari Devi Project Girls High School,  
Goriakothi, P.O. + P.S.- Goriakothi, District- Siwan  
..... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Bipin Bihari Singh, Adv.

For the Respondent/s : Mr. Sanjay Kumar Singh, Adv.

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

5      22-02-2016                      Heard learned counsel for the petitioner and counsel for  
the State.

In the present case, the petitioner has raised a grievance  
that she has been absorbed in Lalpari Devi Project Girls High School,  
Goriakothi, Siwan with effect from 25.1.2000.

The petitioner's claim is that the petitioner was appointed  
in the year 1984 whereas the respondents have kept the post reserved  
against the five sanctioned posts for her whereas an additional post  
was created including one post of the Music Teacher in the year 2012  
and, as such, she cannot be deprived of being regularized in the  
service from 1.1.1989. The petitioner also claims for preference over  
Manju Kumari.

From the records, it appears that the dispute is with  
regard to her entitlement of her absorption vis-à-vis absorption of

Manju Kumari. Let the matter be decided by the Director, Secondary Education where the petitioner will file a detailed application giving full materials and the Director, Secondary Education, Patna, after giving notice to the petitioner including Manju Kumari, will pass a reasoned order within a period of three months from the date of filing of the representation along with a copy of this order.

Learned counsel for the petitioner has taken a plea that Manju Kumari all through was an untrained teacher and wrongly she has been treated as a trained teacher and, as such, the degree that she possess and treated as a trained teacher has not been recognized by the State of Bihar.

This Court is not giving any opinion on the merit of the case and the Director is directed to decide the case in accordance with law. The Director will also give notice to Manju Kumari and would also give opportunity of hearing to her.

It goes without saying that if the petitioner succeeds before the Director, the consequential order will be passed in her favour.

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

**(Shivaji Pandey, J)**

Rishi/-

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