

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5208 of 2014

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1. Sita Kumari Wife Of Sri Amlesh Kumar Jha Resident Of Village- Basbitta, P.S-
Majorganj, Distt- Sitamarhi.

.... Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Sitamarhi.
3. The District Education Officer, Sitamarhi.
4. The Block Education Extention Officer, Majorganj.
5. The Panchayat Sachiv, Gram Panchayat Raj- Pachaharava, Majorganj, Distt-
Sitamarhi.
6. Sushama Kumari D/O Harendra Kumar Singh R/O Village + P.O- Pachaharava,
P.S- Majorganj, Distt- Sitamarhi.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha

For the Respondent/s : Mr. S.A. Alam, SC 3

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 24-02-2016

Heard counsel for the petitioner and counsel for the
State.

Perused Annexure-7 dated 17.7.2012 by virtue of which
the District Teachers Employment Appellate Authority has ordered
removal of the petitioner from the post of Panchayat Teacher. The
reason why the petitioner came to be removed is that she was engaged
and hired even though she had lesser marks than other eligible
candidates which cannot be said to be erroneous rational or reasoning.

The Tribunal has even otherwise given a direction for
holding a fresh counselling after due advertisement in the newspaper.

Since the Court does not find any irregularity or arbitrariness in the reason assigned for passing of the order impugned, it refuses to interfere with the decision. Writ is dismissed.

However, before parting counsel for the petitioner submits that a direction be issued for payment of her emoluments for the period she has rendered service. In this regard, liberty is granted to the petitioner to assert such a right, which will be considered in accordance with law and a decision taken within a reasonable time frame.

(Ajay Kumar Tripathi, J)

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