

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9579 of 2014

Madhuri Kumari W/O - Mithilesh Kumar, D/O - Late Ramchandra Jha Resident of village - Paigambarpur, P.S. - Sakra, Distt. - Muzaffarpur, presently working as a headmistress, newly constructed primary school Mathna Milik (west), Anchal - Chehrakala, Distt. - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Vaishali at Hajipur.
3. The District Education Officer, Vaishali at Hajipur.
4. The District Program Officer, Vaishali at Hajipur.
5. The Block Development Officer, Chehrakala, District - Vaishali.
6. The Block Education Officer, Chehrakala, District - Vaishali.
7. Smt. Anju Kumari the assistant teacher the newly constructed primary school Mathna Milik (west), Anchal - Chehrakala, District - Vaishali.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur

For the Respondent/s : Mr. SC8-Kumar Alok

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 17-10-2016

Heard learned counsels for the parties.

Wherever a regular teacher is available, he or she must be given priority over the Panchayat Teachers. There is no dispute and there cannot be any dispute, keeping in mind the status of the Panchayat Teacher viz-a-viz a regular teacher.

Since the private-respondent is a regular teacher, even if she has been appointed in the year 2012, she has a better right to officiate or work as Incharge of the

school in question, especially when petitioner is only a Panchayat Teacher.

No interference is warranted with Annexure-5.

Writ application is dismissed.

(Ajay Kumar Tripathi, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	18.10.2016
Transmission Date	