

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16348 of 2011

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Suchita Kumari D/O Late Pashupat Shah, Bhachchi, Near Stadium Road,
P.S. Madhubani, Dist. Madhubani.

.... Petitioner

Versus

1. The State of Bihar
2. The Joint Director –cum- Joint Secretary, Panchayati Raj Department,
Bihar, Patna.
3. The Collector, Madhubani.
4. The District Superintendent of Education, Madhubani, Dist. Madhubani.
5. The District Panchayat Raj Padhikari, Madhubani, Dist. Madhubani.
6. The Block Development Officer, Benipatti, P.S. Benipatti, Dist.
Madhubani.
7. The Panchayat Secretary at Gram Panchayat Kataiya, Benipatti Block,
P.S. Benipatti, Dist. Madhubani.
8. The Mukhiya, Gram Panchayat, Kataiya, Benipatti Block, P.S. Benipatti,
Dist. Madhubani.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rajendra Singh, Sr. Adv.
Mr. Mukesh Kumar Singh, Adv.

For the Respondent/s : Mr. AC to GA-9

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 06-04-2016 Heard Sri Rajendra Singh, learned Senior Counsel,

who was assisted by Sri Mukesh Kumar Singh, learned counsel for

the petitioner and learned AC to GA-9.

The petitioner, invoking writ jurisdiction of this Court
under Article-226 of the Constitution of India , has made a limited
prayer for directing the Respondents to implement the order dated
28.04.2010 passed by the District Teachers Employment Appellate
Authority, Madhubani (hereinafter referred to as the “Appellate
Authority”) in Appeal Case no.51/06/09.

Earlier, in this case, notices were directed to be issued to Respondent nos.7 and 8 i.e. the Panchayat Secretary and Mukhiya of Gram Panchayat Kataiya, Block –Benipatti in the district of Madhubani. Despite of valid service of notice, Respondent nos. 7 and 8 have chosen not to appear.

In this case, a counter affidavit has been filed on behalf of Respondent nos. 3 to 6 and in paragraph-7, it has been stated that letters were issued to the concerned Respondents for implementing the order.

Keeping in view the fact that the petitioner has approached this Court only with a limited prayer to direct the Respondent nos. 7 and 8 to implement the order of the Appellate Authority, the Court is of the opinion that if the order of the Appellate Authority has not been assailed or unsettled by the superior court, all concerned are required to implement the same in its letter and spirit. It was submitted by learned counsel for the petitioner that against the order of the Appellate Authority , no revision has been preferred

In view of facts and circumstances, the writ petition stands allowed with a direction to the Respondents, particularly Respondent nos.7 and 8 to implement the order of the appellate tribunal passed in Appeal Case no.51/06/09 within a period of

three months from the date of receipt/production of a copy of this order.

(Rakesh Kumar, J)

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