

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7027 of 2011

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Pratima Kumari W/O Shalendra Prasad Singh R/O Vill. Madhepur, P.S. Jalalpur, Distt.-Saran At Chapra At Present Vill. Attanagar, P.S. Iswapur, Distt.-Saran At Chapra.

.... Petitioner

Versus

1. The State Of Bihar
2. The Secretary cum Commissioner, Human Resource, Govt. Of Bihar, Patna.
3. The District Primary Education, Govt. Of Bihar, Patna.
4. The District Magistrate, Saran at Chapra.
5. The District Superintendent of Education, Saran at Chapra.
6. The Sub Divisional Education Officer, Saran at Chapra.
7. The Block Development Officer, Jalalpur Saran at Chapra.
8. The Block Education Extension Officer, Jalalpur, Saran at Chapra.
9. The Mukhiya, Gram Panchayat Madhepur, Saran at Chapra.
10. The Panchayat Secretary at Chapra.
11. The Head Master Primary School, Madhepur, Block-Jalalpur, Distt.-Saran at Chapra.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar with
Mrs. Rajani Kumari, Advocates.

For the Respondent/s : Mr. Manoj Kr. Ambasta SC-26
Mr.Subodh Kumar, Sc -26

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 09-08-2017 Petitioner has appointed as Panchayat Teacher of Prathmik Vidyalaya, Madhepur Block, Jalalpur Block, District-Saran at Chapra. Subsequently, the services of the petitioner was terminated on the ground of negligence in duty and remain on unauthorized leave since 03.04.2007 to 01.10.2007. The petitioner had preferred a writ application against her termination order. The Hon'ble High Court had directed the petitioner to make a representation before the Block Development Officer, Jalalpur for redressal of her grievances. A contempt application was also filed



on her behalf for non-compliance of the order of Hon'ble High Court, as the matter was kept pending before the Block Development Officer. During the proceeding of such contempt application, the Block Development Officer had passed the final order on the representation of the petitioner and had affirmed the order passed by the Selection Committee/Appointment Committee of the concerned Panchayat.

It has been submitted on behalf of the petitioner that the Block Development Officer had no jurisdiction to pass the said order, which is under challenge and remedy of the petitioner lies before the State Appellate Authority. It would be relevant to point out here that the order was passed on 05.05.2008 and on the relevant date, the Block Development Officer was the appellate authority in terms of 2006 Rules, for redressal of such grievances. On 05.08.2008, an amendment was made and the District Appellate Authority was created for redressal of the grievances of the Panchayat Teachers.

I find no substance in the submissions made on behalf of the petitioner.

The present writ application is accordingly, dismissed.

(Sudhir Singh, J)

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