

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2077 of 2016

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Nasiran wife of Mumtaz Ahmad Ansari, Resident of village- Rampur Bairiya, P.S.- Kesariya, District- East Champaran, presently posted and working as Assistant Teacher in Project Arya Kanya High School, Kesariya, P.S.- Kesariya, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna
2. The Director, Secondary Education, Department of Education, Govt. of Bihar, Patna
3. The District Education Officer, East Champaran, Motihari
4. The Headmaster of Project Arya Kanya High School, Keshariya, District- East Champaran
5. Sri Bhagirath Rai, Son of not known
6. Sri Bali Ramjee Pandey, son of not known
7. Smt. Nishibala Srivastava, wife of not known null
8. Smt. Rupoam Mishra, wife of not known, All no. 5 to 8 are posted and working as Assistant Teachers in Project Arya Kanya High School, Kesariya, P.S. Kesariya, District- East Champaran

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Anisur Rahman
For the Respondent/s : Mr. Harish Kumar- Gp-8

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL ORDER

4 14-12-2017 Heard the learned counsel for the petitioner and State.

Learned counsel for the State submitted that cost, as directed by the earlier order, has been deposited.

2. The petitioner has moved the Court for the following reliefs :-

“A. For issuance of appropriate writ / order or direction quashing the order issued under Memo no.268 dated



3.9.2015 by the respondent No.2 the Directory, Secondary Education by which the petitioner's name has been placed at serial no.7 below the name of her juniors the respondent no.5 to 8 as contained in Annexure to the writ application.

B. For issuance of appropriate writ/ order or direction commanding the respondent no.2 to issue fresh order for payment of arrears of salary by placing the name of the petitioner at serial no.3 above the name of the respondent no.5 to 8 in the said penal and also to make payment of arrears of salary of the teachers including the petitioner.

C. For issuance of appropriate writ/ order or direction commanding the respondents to place the petitioner's name at proper place (serial no.3) treating her a trained graduate teacher.

D. For any other relief or reliefs for which the petitioner is found entitled in the opinion of this Hon'ble Court."

3. In the counter affidavit filed on behalf of the State, it has been admitted that there had been mistake in treating the petitioner untrained and now, after rectification, her seniority has been restored and she shall be entitled to all consequential benefits.

4. In view of the aforesaid stand, the writ petition stands disposed off with a direction to the respondent No.2 to ensure that



all consequential orders be passed and payments made to the petitioner within one month from the date of production of a copy of this order.

(Ahsanuddin Amanullah, J)

Sanjeev/-

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