

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.23103 of 2012**

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Soni Kumari, D/O Late Ramesh Sharma, R/O Mohammadpur, Police Station- Belaganj, District- Gaya.

.... .... Petitioner

Versus

1. The State of Bihar.
2. The Block Development Officer, Belaganj, Distt.- Gaya.
3. The Block Education Extension Officer, Belaganj, Distt.- Gaya.
4. The Mukhiya, Gram Panchayat Raj Kormathu P.S.- Belaganj, Distt.- Gaya.
5. The Panchayat Secretary, Gram Panchayat Raj Kormathu, P.S. Belaganj, District- Gaya.
6. Bibha Kumari, D/O Ramanuj Prasad and W/O Ram Jaipal Singh, R/O Village- Chatar, Police Station- Makhdumpur, Distt.- Jehanabad.

.... .... Respondents

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**Appearance :**

For the Petitioner : Mr. Ashok Kumar, Advocate.  
For the Respondent No. 6 : M/S. Arun Kumar and Sanjay Kumar Sharma, Advocates.  
For the State : Mr. Upendra Pratap Singh, A.C. to S.C. 4.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

4      03-07-2017      Re. I.A. Nos. 1585/2013 and 10051/2016:

Both the aforesaid Interlocutory Applications have been filed on behalf of respondent no. 6 for vacating the stay granted to the petitioner vide order dated 18.12.2012 as it had been pointed out that the issue of appointment of the petitioner for the post of Panchayat Teacher and that of the Respondent, both are pending before the District Teachers' Employment Appellate Authority, Gaya vide Case No. 08/2013.

Since the appointment of the petitioner and the



respondent no. 6 is still subjudiced before the District Teachers' Employment Appellate Authority, Gaya, it would not be proper to proceed with the present matter in the writ jurisdiction.

Considering the aforesaid facts and circumstances, the stay granted to the petitioner vide order dated 18.12.2012 stands vacated.

I.A. Nos. 1585/2013 and 10051/2016 are, accordingly, allowed.

Learned counsel for the petitioner seeks permission to withdraw the present writ application with a liberty to pursue the matter before the District Teachers' Employment Appellate Authority, Gaya.

Permission is accorded.

Since the petitioner is still continuing in service, if, so advised, she may make an application for grant of the stay of the order dated 19.05.2012 before the District Teachers' Employment Appellate Authority, Gaya, which shall be considered by him on its own merit in accordance with law.

It is further directed that the District Teachers' Employment Appellate Authority, Gaya, may dispose of Case No. 08/2013 preferably within a period of three months from the date of receipt/production of a copy of this order.



With the aforesaid observations and directions, the present writ application is disposed of.

**(Sudhir Singh, J)**

U.K./-

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