

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13589 of 2012

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Nirmala Devi, Wife of Sharda Prasad Yadav, resident of Village - Mahda,
P.O. Sighpur, P.S. - Cholapur, District – Varanasi.

.... Petitioner

Versus

1. The State of Bihar.
2. The Secretary, Human Resources Department, Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The Secretary, Bihar Intermediate Education Council, Patna.
5. The Chairman, Mahanth Fulena Das Karpuri College, Ram Julum Nagar (Badhala), Samastipur.
6. The Secretary, Mahanth Fulena Das Karpuri College, Ram Julum Nagar (Badhala), Samastipur.
7. The Chairman of the Governing Body Mahanth Fulena Das Karpuri College, Ram Julum Nagar (Badhala), Samastipur.
8. The Principal of the Mahanth Fulena Das Karpuri College, Ram Julum Nagar (Badhala), Samastipur.
9. The Accountant of Mahanth Fulena Das Karpuri College, Ram Julum Nagar (Badhala), Samastipur.
10. Dr. Parmanand Rai Sharma, the then Lecturer Mahanth Fulena Das Karpuri College, Ram Julum Nagar, Samastipur.

.... Respondents

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Appearance :

For the Petitioner : Mr. Devendra Kumar, Advocate.
For the State : Mr. Arun Kumar Sinha, A.C. to G.P. 24.
For the University : Mr. Priyanshu Lal, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-08-2017 Heard learned counsel for the petitioner and learned
counsel for the respondents.

In the present writ application, the petitioner has
sought for the following reliefs.

- I. For issuance of an appropriate writ in the nature of mandamus commanding and directing the respondent authorities to appoint the petitioner to the post of Lecturer in the Class of first post as she is holding requisite



- qualification for the same post as she has been denied and the person, who having the lesser qualification is given the benefit of first post.
- II. For further direction to remove the private respondent no. 10 from the Lecturer in the subject of Home Science and appoint the petitioner.
 - III. For further direction upon the respondents not to pay salary to the private respondent as he has been illegally appointed without following the due process of law.
 - IV. For further direction to re-arrange/quash the list dated 14.06.1993 prepared for the post of Lecturer in the department/subject of Home Science.”

Learned counsel for the petitioner is directed to file an appropriate application for redressal of his grievance before the District Appellate Authority, Samastipur, under Rule 13 of the Bihar State School Teachers and Employment Dispute Redressal Rule, 2015 since it is a dispute related to service matter between the management of Inter College and the petitioner.

The petitioner shall file an appropriate application before the District Appellate Authority, Samastipur, within a period of thirty days from the date of the order, which shall be disposed of in accordance with law within the statutory period.

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

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(Sudhir Singh, J)

