

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 3987 of 2015

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Sadia Sultana @ Bibi Sadia Sultana Wife of Md. Raza Ahmad Resident of Village Ghordour, P.O. Ghordour, Via Simri Bakhtiarpur, P.S. Salkhua (O.P. Banma Itahri), District Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary cum Commissioner, Human Resources Department, Government of Bihar, Patna.
3. The District Magistrate, Saharsa, District Saharsa.
4. The District Programme Officer (Establishment), Saharsa, District Saharsa.
5. The District Education Officer, Saharsa, District Saharsa.
6. The Block Development Officer Simri Bakhtiarpur, District Saharsa.
7. The Block Educational and Extension Officer, Block Simri Bakhtiarpur, District Saharsa.
8. The Mukhiya Gram Panchayat Raj Taryama Block Simri Bakhtiarpur, P.S. Saur Bazar, District Saharsa.
9. The Panchayat Secretary, Gram Panchayat Raj Taryama Block Simri Bakhtiarpur, P.S. Saur Bazar, District Saharsa.
10. Dhananjay Kumar Son of Panna Lal Sah Resident of Village Nado, P.O. Damgadi, P.S. Saur Bazar, District Saharsa.
11. Md. Jawed Alam Ansari Son of Md. Azmatullah, Resident of Village Simri Bakhtiarpur, P.O. & P.S. Simri Bakhtiarpur, District Saharsa.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 04-09-2018

Heard learned counsel for the petitioner; State and
respondents no. 10 and 11.



2. Counter affidavit has been filed on behalf of the respondent no. 11.

3. The petitioner has moved the Court for the following reliefs:

“A. For issuance of an appropriate writ order or direction setting aside/quashing the order contained in Memo No-2375 dated 19-12-2014 (Annexure-7) passed by the District Programme Officer (Establishment), Saharsa District- Saharsa, whereby without appreciating the entire factual aspect of the matter and also without giving opportunity of personal hearing to the petitioner virtually appointment of the petitioner has been declared invalid and liable to be cancelled.

B. For issuance of appropriate writ order or direction directing the respondents not to interfere in the peaceful functioning of the petitioner as Panchayat Teacher in Government girls Primary School (Kanya Maktab) Taryama, P.O- Taryama, District- Saharsa.

C. For any other relief or relief for which petitioner is entitled in the opinion of this Hon'ble High Court.”

4. Without going into the merits, the Court finds that at the first instance, there being a District Teachers Employment Appellate Authority (hereinafter referred to as the 'Authority'), which has the power to look into such matters, it is proper that the petitioner first avail the said remedy.

5. In view thereof, the writ petition stands disposed off with liberty to the petitioner to move before the District Teachers



Employment Appellate Authority, Saharsa in the matter. If the same is done within four weeks from today, the authority shall consider and decide the same on merits, expeditiously and within the statutory period.

(Ahsanuddin Amanullah, J.)

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