

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.373 of 2017

In

Civil Writ Jurisdiction Case No. 19625 of 2016

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Mintu Kumari, Wife of Shri Nishi Kant Shahi, presently working as In-charge Headmaster, Middle School, Patedi Anchal, Maharajganj, Siwan.

.... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The District Magistrate, Siwan.
4. The Regional Deputy Director of Education, Chhapra.
5. The District Education Officer, Chhapra.
6. The District Program officer (Establishment), Siwan.
7. The Block Education officer, Maharajganj, Siwan.
8. The Block Education officer, Daraunda, Siwan.
9. Shahi Bhanu Kishore Uday, Son of Late Uday Bhanu Prasad Shahi, resident of village - Paterha, P.S. Maharajganj, District - Siwan.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bipin Bihari Singh, Advocate

For the Respondent/s : Mr. Ashutosh Ranjan Pandey- AAG-15

For respondent no.9 : Mr. P. K. Shahi, Sr. Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR

UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 23-01-2018

This appeal has been filed by the appellant, who was respondent no.9 in the original writ petition (C.W.J.C. No. 19625 of 2016), and the only grievance put forth before us is that without notice to the appellant and without hearing her, the impugned order has been passed.

Having now heard the appellant herein and the respondents, we find that in the matter of disposing of the writ



petition filed by the original writ petitioner Shashi Bhanu Kishore Uday, respondent no.9 herein, the learned Writ Court has only relegated the matter to the competent authority to consider the first option exercised by the original writ petitioner and take a decision in accordance with law.

That being the position, we find that merely because of the fact that present appellant was not heard does not make any difference. The appellant can still represent to the competent authority, in case she has any grievance.

We having heard the matter in detail and found that the order impugned does not cause any prejudice to her and does not take any right, we are not inclined to interfere into the matter.

The appeal stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Uday/-

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