

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7671 of 2015

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Manju Kumari, wife of Ram Lakhan Prasad Singh, resident of Village,P.O.
and P.S. Rahui, District Nalanda

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna
3. The District Education Officer, Nalanda
4. The Block Education Officer, Rahui, District Nalanda
5. The Block Development Officer, Rahit, District Nalanda
6. The District Programme Officer (Establishment), Nalanda

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar
For the Respondent/s	:	Mr. Raj Nandan Prasad, SC 19

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 05-12-2018 As prayed for, learned counsel for the petitioner is permitted to implead the District Programme Officer (Establishment), Nalanda as party respondent no. 6.

The present writ petition was filed by the petitioner with a grievance that ignoring her seniority the respondent authorities allowed the junior most teacher to work as In-charge Headmaster of the Middle School, Khirauna. The writ petition was filed on 14.05.2015.

The kind of relief prayed for by the petitioner without impleading the person who has been made the In-charge Headmaster of the school is incompetent and suffers from the vice of non-joinder of the necessary party. In the absence of



necessary party no relief can be granted. However, considering the totality of the fact situation the writ petition is disposed of with liberty to the petitioner to approach the District Programme Officer (Establishment), Nalanda who shall be under obligation to make either regular appointment on the post of Headmaster or in absence thereof he has to authorize the senior most teacher of the school to work as Headmaster in place of In-charge Headmaster.

Necessary decision in this regard shall be taken by the District Programme Officer (Estt.), Nawada at the earliest, preferably within 60 days from the date of filing of a representation by the petitioner.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

mrl./-

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