

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2864 of 2015

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Neelu Devi @ Neelu Kumari Daughter of Bhawanand Mishra Resident of village -
Jaidev Patti, P.O. Jaidev Patti, P.S. Ghanshyampur, Distt. - Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Govt. of Bihar, Patna
2. The Director, Primary Education, Govt. of Bihar, Patna
3. The District Magistrate, Darbhanga
4. The District Education Officer, Darbhanga
5. The District Programme Officer (Establishment), Darbhanga
6. Urmila Devi Wife of Shri Phulendra Jha, Mukhiya of Gram Panchayat Raj,
Jaidev Patti, P.S. Ghanshyampur, District - Darbhanga
7. Bishwanath Yadav, Panchayat Secretary of Gram Panchayat Raj Jaidev Patti,
P.S. Ghanshyampur, Distt. - Darbhanga
8. Sanjay Kumar Sah Son of Chandar Narayan Sah @ Chandar Sah Resident of
Village - Jaintipur Path, P.S. Bahana, District - Darbhanga
9. The District Teachers Employment Appellate Authority, Darbhanga through its
Member

.... Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 28-08-2018

Heard learned counsel for the petitioner; State and
respondent no. 8.

2. The petitioner has moved the Court for the following



reliefs:

“That this is an application for issuance of an appropriate writ(s), order(s) or direction(s) for quashing of the order passed in Objection Case No. 5 of 2014 as contained in Memo No.443, dated 31.12.2014 (Annex ure-1) passed by Respondent No.9 whereby and where under the appointment of the petitioner from the post of Panchayat Teacher has been cancelled and further direction has been given to the Selection Committee to appoint the Respondent No.8 in place of the petitioner.

And further the Respondents may be directed to reinstate the petitioner on her respective posts with all consequential and monetary benefits.

And during the pendency of the instant writ application the impugned order as contained in Annexure-1 of this writ application may remain stayed.

And/Or pass such other order(s) as your Lordships may deem fit and proper.”

2. At the very outset, learned counsel for the State and respondent no. 8 submitted that against the order passed by the District Teachers Employment Appellate Authority, the petitioner can move the State Appellate Authority which is functioning.

3. Having regard to the aforesaid, the Court deems it



proper that the petitioner approach the Appellate Authority at the first instance.

4. Accordingly, the writ petition stands disposed off with liberty to the petitioner to move before the State Appellate Authority against the order dated 31.12.2014 passed in Objection Case No. 5 of 2014 by the District Teachers Employment Appellate Authority, Darbhanga.

5. If an appeal is filed before the State Appellate Authority within four weeks from today, the same shall be considered and disposed off on merits, expeditiously and within the statutory period.

(Ahsanuddin Amanullah, J)

Anjani/-

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