

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19100 of 2012

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Shashi Prabha Kumari, Wife of Sri Santosh Singh Resident of Village -
Maneni, Police Station - Charpokhri, Dist - Bhojpur At Ara

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna
2. The District Teachers Engagement Appellate Authority, Bhojpur, Ara
3. The District Magistrate, Bhojpur, Ara
4. The District Education Officer Bhojpur, Ara
5. The Panchayat Secretary, Gram Panchayat Babu Bhandh, Block Charpokhri, District - Bhojpur, Ara
6. The Mukhiya, Gram Panchayat Babu Bandh, Block Charpokhri, District - Bhojpur, Ara
7. Ritu Kumari, Daughter of Sri Umashankar Upadhaya, Resident of Village Maneni, P.O. - Majhiauo, P.S. Charpokhri, District - Bhojpur, Ara

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Singh, Advocate
For the Respondent/s	:	Mr. Sunil Kumar, AC to GA-12
For Respondent No.7	:	Mr. Uday Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 11-12-2018

Heard learned counsel for the petitioner, State and the respondent no.7.

2. After hearing the parties, the Court comes to a conclusion that before passing of order dated 17.01.2011, which adversely affect the petitioner, no notice was issued to the present petitioner. From the order-sheet, it is admitted that after order dated 17.01.2011, notice was issued in 2012, precisely on 11.07.2012.

3. In view of the aforesaid factual position, the order adversely affecting the petitioner was passed first and thereafter



notice was issued, the Court cannot approve the decision as contained in Annexure-1. It is, accordingly, quashed. The matter is remitted back to the District Teachers Employment Appellate Authority, Bhojpur to hear the parties and after hearing the parties pass fresh order. Necessary decision must be taken by the District Teachers Employment Appellate Authority, Bhojpur at the earliest preferably within a maximum period of four months from the date of receipt/production of a copy of this order.

4. It is made clear that the Appellate Authority has to hear all whose interests are involved in adjudication of Appeal No. 31 of 2010.

5. With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.12.2018
Transmission Date	

