

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3826 of 2013

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Mina Kumari W/O Sri Raj Kumar Rajan R/O Vill-Mohania, P.S.Mohania,
Distt-Kaimur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Director Primary Education, Human Resources, Department, Govt. Of Bihar,
Patna
3. Principal Secretary, Human Resources Department, Govt. Of Bihar, Patna
4. Collector, Kaimur
5. Member District Shikshak Niyojan Appellate Authority, Kaimur
6. District Superintendent Of Education , Kaimur (Bhabhua)
7. Block Development Officer, Mohania, P.S.Mohania, Distt-Kaimur
8. Block Education Extension Officer, Mohania, P.S.Mohania, Distt-Kaimur
9. Mukhiya Gram Panchayat Raj, Kathej, P.S.Mohania, Distt-Kaimur
10. Headmaster, Primary School, Majhari, P.S.Mohania, Distt-Kaimur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mahesh Prasad, Advocate
For the State : Mr. Sanjay Prasad, AC to AAG-4

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 26-11-2018

Vide order dated 2.5.2014, it appears that this Court has noted that this case is squarely covered by the order dated 28.1.2013 passed in CWJC No. 13989 of 2009.

2. The only issue which led this Court to adjourn the case was delay in approaching this Court by the petitioner. In the order dated 2.5.2014 it was indicated that even after termination of the petitioner no one had been appointed on the post of Panchayat Teacher and the vacancy was still existing and had not been filled up either in the second phase or in the third phase. However, no affidavit in that regard has been filed till date.



3. In the aforesaid circumstances, instead of keeping the matter pending, the writ petition is disposed of with a direction to the respondent- District Programme Officer, Kaimur to examine the record and if it is found that after termination of the petitioner no one has been appointed against the post of Panchayat Teacher in 2nd phase or 3rd phase and there exists vacancy, the case of the petitioner may be considered for reinstatement. However, benefit of reinstatement in the event of availability of vacancy, would be admissible only from the date of passing fresh order. Necessary decision in this regard must be taken by the respondent- District Programme Officer, Kaimur within a maximum period of four months from the date of receipt/production of a copy of this order.

4. With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.11.2018
Transmission Date	NA

