

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25565 of 2013

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Smt. Sujata Kumari Wife Of Sri Braj Kishore Thakur Resident Of Village -
Basra Kaji, P.O. - Jaitpur, P.S. - Saraiya, District - Muzaffarpur

... .. Petitioner/s

Versus

1. The State Of Bihar Through Its Chief Secretary
2. The Principal Secretary, Human Resources Development Department,
Government Of Bihar, Patna
3. The Director, Mass Education-Cum-Additional Secretary, Human Resources
Development Department, Government Of Bihar, Patna
4. Commissioner Tirhut Division, Muzaffarpur
5. The District Magistrate, Muzaffarpur
6. The District Education Officer, Muzaffarpur
7. The District Programme Officer (Literacy Education), Muzaffarpur
8. The Block Education Officer, Saraiya, District - Muzaffarpur
9. The Block Education Extension Officer, Saraiya, District - Muzaffarpur
10. Thre Mukhiya Of Gram Panchayat Raj Khaira, Block - Saraiya, District -
Muzaffarpur
11. Neeraj Kumar, Head Master-Cum-Member, High School Khaira, Dakshin
Tola, Block - Saraiya, District - Muzaffarpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar
For the Respondent/s : Mr. Kamlesh Kishore, AC to SC-12

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 06-08-2018 This writ petition was filed on 23.12.2013 but it was

listed for the first time for 'Admission' after four and half years.

In the meanwhile, certain development took place and

petitioner has filed I.A. No. 8079 of 2015 for amendment of the

writ petition.

From the I.A. No. 8079 of 2015 it appears that in

place of the petitioner Puspa Kumari was appointed as 'Prerak'.

In view of the subsequent development, prayer was



made for impleadment of Pushpa Kumari as party respondent.

The case was earlier listed under the heading for 'Admission' but no one bothered to appear on behalf of the petitioner.

Today, this case has been listed under the heading for 'Admission' in order to felicitate the petitioner once more to assist the court but unfortunately even today no one appeared.

Under the aforesaid circumstances, there is no point to keep the matter pending as initially the writ petition was filed for a direction to the respondents for payment of salary and allowances. Accordingly, the writ petition is disposed of with direction to the District Programme Officer (Literacy), Muzaffarpur to examine the record to ascertain whether the petitioner was validly appointed and discharged responsibility of 'Prerak' and if it is found that the petitioner has worked as 'Prerak' he shall see that the honorarium is paid to the petitioner for the period the petitioner has actually worked.

The decision in this regard may be taken by the respondents within a maximum period of three months from the date of receipt/production of a copy of this order.

So far as validity of termination of the petitioner and in her place appointment of Pushpa Kumari is concerned, liberty



shall be available to the petitioner to approach before the appropriate forum/court in accordance with law.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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