

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.8577 of 2016**

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Asha Kiran Upadhya wife of Sudhir Kumar Tiwari, Headmistress, Babujee Prabhujee Kripanath Pathak Project Girls High Shcool, Mansapaur, Block-Laukhi, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna
2. The Director, Secondary Education, Bihar, Patna
3. The Regional Deputy Director of Education, Darbhanga
4. The District Magistrate, Madhubani
5. The District Education Officer, Madhubani

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Arun Kumar  
For the Respondent/s : Mr. Aag3- Roy Shivajee Nath

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

4      02-05-2018                      In the counter affidavit filed by the respondents wherein in para 5 and 6 the following stand taken by the respondents which reads as follows:-

**“That without going into the merit of the claim of the petitioner, the answering respondent humbly states that the issue relating to approval of service of the petitioner as head mistress of the concerned school appears to be disputed one as one Dr. Gopal Krishan also claims to be the head master of the said school and accordingly, he had also filed a writ application before this Hon’ble court hearing CWJC No. 9480 of 2012 (Dr. Gopal Krishna V/S The State of Bihar & Ors) and this Hon’ble Court vide order 10.08.2015 has been pleased to direct the petitioner to move before the Director, Secondary Education Govt. of Bihar in respect of relief claimed in the writ application.**



**“That in view of order and direction of this Hon’ble Court dated 10.08.2015 the matter is under consideration before the Director, Secondary Education, Bihar as any decision with regard to approval of services of the petitioner of above said Dr. Gopal Krishna is exclusively within the domain of the Director, Secondary Education, Bihar.**

Considering the stand of the petitioner in para-5 and 6, the writ petition is disposed of with liberty to the petitioner to approach the Director, Secondary Education who shall consider the case of the petitioner alongwith Dr. Gopal Krishana and final decision in this regard may be taken by the respondents within a period of sixty days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

**(Anil Kumar Upadhyay, J)**

Ravi/-

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