

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5105 of 2018

Gufrana Khatoon wife of Md. Mustaque resident of Village Kujratola
Birgaon, P.S. Mahishi & District Saharsa ... Petitioner

Versus

1. The State of Bihar through the Principal Secretary Human Resources Development Department, Bihar, Patna.
2. Director Jan Siksha Nideshalaya, Bihar, Patna.
3. District Magistrate, Saharsa.
4. District Programme Officer (Literacy), Saharsa.
5. Block Development Officer Mahishi District Saharsa.
6. Block Education Officer Mahishi PS Mahishi District Saharsa.
7. Chairman Vidyalaya Siksha Samiti Middle School Birgaon P.S. Mahishi & District Saharsa.
8. Head Master Middle School Mahishi P.S. Mahishi & District Saharsa.
9. Md. Gafoor Son of Md. Abul Hasan resident of Village Birgaon, P.S. Mahishi & District Saharsa ... Respondents

Appearance :

For the Petitioner : Mr. Diwakar Prasad Singh, Advocate
For the Respondents : Mr. Apurv Harsh, AC to SC 28

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 12-12-2018 Heard learned counsel for the petitioner as well as
learned counsel for the respondents.

Learned counsel for the petitioner submits that the appointment of respondent no.9 has been found to be bad in an enquiry conducted by three members committee and directions have been given to the authorities for making selection on the post of Talimi Markaj afresh considering the priority to which the petitioner is entitled by virtue of being a female candidate.

This Court would find that the petitioner has approached before the District Public Grievance Redressal Officer, Saharsa and orders have been passed thereon which is annexure 9 to the writ petition. The petitioner has been advised to approach the Director (Education) or any other competent



officer for redressal of her grievance. Pursuant to such order of the District Public Grievance Redressal officer, Saharsa the petitioner has not approached the Director (Education).

Having chosen such a forum, the petitioner has not taken steps pursuant to order passed by the District Public Grievance Redressal officer, Saharsa for redressal of grievances. In such a situation, there is no occasion for this Court to presume that the Director (Education) would not entertain petitioner's claim. At the moment, this Court does not find any reason to exercise jurisdiction under Article 226 of the Constitution of India. As the petitioner has not demanded redressal of her grievances in compliance of order passed by District Public Grievance Redressal officer, Saharsa dated 29.8.2017, there is no demand and refusal so as to form the premise for exercise of writ jurisdiction.

The writ petition is dismissed.

(Madhuresh Prasad, J)

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