

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.220 of 2018

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1. Gita Kumari W/o Rajnish Kumar, resident of Mohalla Chapki, P.S. Sadar, District Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Education, Patna.
2. The Collector, Supaul.
3. The District Education Officer Supaul, District Supaul.
4. The District Program Officer, (Estb.) Supaul, District Supaul.
5. The Block Development Officer, Marauna, District Supaul.
6. The Block Education Officer, Marauna, District Supaul.
7. The Head Primary School Taufir, Block Marauna, District- Supaul.
8. The Head Master Govt. Middle School Manoharpatti, Block Marauna, District Supaul.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Narayan
For the Respondent/s : Mr. M. Pd. Yadaw-Gp23

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 20-04-2018 Heard learned counsel for the petitioner, counsel appearing on behalf of the State.

Petitioner has filed the present writ application for a direction to the respondent to accept her joining. Earlier the petitioner has approached this Court in C.W.J.C. No.22785 of 2013 which was dismissed on 31.07.2014. While dismissing the writ application, the Court observed as follows :-

“The Court expects that the Principal Tankir Primay School will act in accordance with law and rules, if the petitioner approaches her with an intention to go back to her parent school, Barhara, Mohanarpatti.



Now, the petitioner has filed present writ application for a direction to accept the joining of the petitioner and submits that the respondents in the matter of accepting the joining of the petitioner who proceeded on leave on account of complication during pregnancy has to take decision sympathetically as petitioner was advised complete take rest by doctor. Later on, on account of illness, she could not join and she approached for acceptance of joining on recovery from illness but the respondent have not taken decision on the request of the petitioner for accepting her joining.

In view of the above, the writ petition is disposed of with the direction to the respondent authorities, i.e., respondent No.4, 6 and 7 to take final decision in the matter of joining of the petitioner and respondents are required to pass reasoned speaking order within a maximum period of 60 days from the date of production of a copy of this order. While taking decision, respondents are required to consider the case sympathetically considering the ailment of the petitioner and considering the fact that the petitioner was advised complete bed rest by the doctor during pregnancy.

Sanjeev/-

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(Anil Kumar Upadhyay, J)