

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8374 of 2015

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Majeeda Khatun W/o Abdurr Rahim, Resident of Village and P.O. - Bhawnath
Nagar Hasimpur, Block - Barari, District - katihar.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. District Magistrate, Katihar.
3. District Education Officer, Establishment, Katihar.
4. District Programme Officer, Establishment, Katihar.
5. District Teachers Employment Appellate Authority, Katihar through its
Appellate Officer.
6. Block Development Officer, Block - Falka, District - Katihar.
7. Block Education Officer, Block - Falka, District - Katihar.
8. Farhat Jahan, W/o Md. Sajarul Haque, R/o Village - Kathoriya, P.O. -
Jagdishpur, P.S. - Barari, District - Katihar.
9. Headmaster, Up Graded Middle School, Gidarmari, Block Barari East,
District - Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav, Advocate
For the Respondent/s : Mr. Anjani Kumar, A.A.G. 6

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 30-07-2019 Heard learned counsel for the petitioner and learned
counsel for the respondent State.

The issue in the present writ application is defiance of
the decision of District Teachers Employment Appellate
Authority in Appeal No. 27 of 2014.

After the order of the District Teachers Employment
Appellate Authority contained in Annexure '4', dated
07.04.2014, the District Programme Officer (Establishment)



Katihar, has sought necessary guidelines from the Director, Primary Education, vide letter No. 513, dated 09.07.2014 for the appointment of the petitioner on the post of Block Teacher.

The decision of the District Programme Officer (Establishment) Katihar was defied by the Block Education Officer. The respondents filed application for review which was rejected on the ground that the District Teachers Employment Appellate Authority has no jurisdiction to review its own decision vide letter dated 15.10.2014. The District Programme Officer (Establishment), Katihar, vide letter No. 450, dated 04.02.2015 has directed the Block Development Officer-cum-Secretary, Appointment Unit, Falka to appoint the petitioner on the post of Block Teacher in order to comply with the order passed by the District Teachers Employment Appellate Tribunal on 07.04.2014.

The decision of the Tribunal as well as the direction of the District Programme Officer (Establishment) Katihar has not been complied with. Learned counsel for the petitioner would submit that the decision of the District Teachers Employment Appellate Authority as contained in Annexure '5' has not been challenged before any Court or Tribunal.

Considering the aforesaid, the present writ application



stands disposed of with a direction to the District Programme Officer (Establishment) Katihar and Block Education Officer-cum-Secretary, Appointment Unit, Falka to implement the order of the District Teachers Employment Appellate Authority with regard to the claim of the petitioner for appointment on the post of Block Teacher with all consequential benefits, at the earliest preferably within a period of 60 days from the date of receipt/production of a copy of this order.

With the aforesaid, the present writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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