

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7258 of 2019

Hira Kumari Wife of Harendra Bahadur Singh, D/o Rampervesh Singh
Resident of Village- Ayurvedic Medical College Ander Road Siwan, P.S.-
Siwan, District- Siwan, at present posted as Post Graduate Trained Teacher in
Hindi Faculty of Govt. High School cum Inter College Rajpur, P.S.-
Raghunathpur, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary Human Resource Development Department, Govt. of Bihar, Patna.
2. The Director of Secondary Education Department Govt. of Bihar, Patna.
3. The Regional Deputy Director of Education Department of Saran Chapra.
4. The District Education Officer of Siwan.
5. The District Programme Officer Establishment of Education Department of Siwan District.
6. Kiran Kumari Mishra Wife of Rajesh Kumar Pandey Resident of Village- Aadampur, P.S.- Raghunathpur, District- Siwan, at present posted as In-charge Head Master/Principal of Govt. High School cum Inter College Rajpur, P.S.- Raghunathpur, District- Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Jha
For the Respondent/s : Mr. R.V.P. Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-04-2019 The present writ petition has been filed seeking
following reliefs :

(i) For issuance of direction to the authorities concerned to immediate provide the in-chargeship of Principal/ Headmaster of Government High School cum Inter College, Rajpur, Siwan to the petitioner from the respondent no. 6 namely Kiran Klumari Mishra considering the facts that the petitioner is senior most higher secondary post graduate trained teacher in the concerned school and her grade



pay is higher than the respondent no. 6 whereas the appointment of respondent no. 6 has been made in the concerned school as secondary teacher i.e. trained graduate teacher.

(ii) For issuance of direction to the authorities concerned to expeditiously declare the petitioner as senior most teacher in the concerned school with respect to the respondent no. 6 and others considering the facts that the requisite education qualification for the appointment of petitioner i.e. higher secondary teacher is post graduate trained and the grade pay of petitioner is Rs. 2800/- whereas the requisite qualification for the appointment of respondent no. 6 i.e. secondary teacher is trained graduate and her grade pay is Rs. 2400/- i.e. less than the petitioner.

(iii) For issuance of direction to the authorities concerned to maintain parallel parameter with respect to the appointment on the post of In-charge Principal/ Headmaster of the school in question as adopted in the other schools in the same set of circumstances.

The learned counsel for the petitioner submits that the petitioner would be satisfied in case, she is permitted to file a representation regarding her aforesaid grievances mentioned in the writ petition, before the respondent no. 3.

Accordingly, it is directed that the petitioner may file a representation before the respondent no. 3 within a period of four weeks from today and the respondent no. 3 shall dispose of the same by a reasoned and speaking order within a period of



eight weeks thereafter.

The writ petition is disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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