

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14339 of 2019

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Laxmi Narayan Sahu Son of Rameshwar Sahu Resident of Village and Post-Kachhubi, P.S.- Lakhnaur, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources, Bihar, Patna.
2. The Director of Education, Primary Education, Bihar, Patna.
3. The Regional Deputy Director of Education, Darbhanga Division, Darbhanga.
4. The District Programme Officer (Establishment), Madhubani.
5. The Block Development Officer cum Secretary, Prakhanda Appointment Unit, Lakhnaur Block, District- Madhubani.
6. The Block Education Officer, Lakhnaur Block, District- Madhubani.
7. Mr. Drondhar Chaudhary Son of Ramashish Chaudhary resident of Village-Vishnupatti Post Office Sonara, Police Station Lakhnaur, District-Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate
For the Respondent/s : Mr. Nishant Kumar Jha, AC to SC-28

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 18-07-2019 Heard learned counsel for the petitioner and learned

counsel appearing on behalf of the State.

The petitioner has filed the present writ petition for a direction to the respondents to ensure handing over charge of Headmaster of the school in question to the petitioner.

There is no post of Incharge Headmaster. It is only stop gap arrangement. The senior most teacher of the school is made Incharge for the purpose of carrying day to day activities of the school.

From the pleadings available on the record, it appears



that there is dispute of seniority between the petitioner and respondent No. 7, Drondhar Chaudhary.

Considering the aforesaid, the writ petition is disposed of with a direction to the District Programme Officer (Establishment), Madhubani to determine inter se seniority of the petitioner and respondent No. 7 by providing opportunity to both the petitioner and the respondent No. 7. Necessary decision in this regard must be taken by the District Programme Officer (Establishment), Madhubani within a maximum period of 60 days from the date of receipt/production of a copy of this order.

After determination of the inter se seniority of the petitioner and respondent No. 7, the District Programme Officer (Establishment), Madhubani shall see that seniormost teacher shall be the Incharge Headmaster of the school in question in the absence of regular Headmaster.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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