

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14152 of 2019

Manju Kumari Wife of Sri Birendra Kumar Singh at present functioning as an Incharge Headmistress, R.K.R.S.D. Project Girls High School Madhuban, P.O. Gulwara Madhuban, P.S. Madhuban, District East Champaran (Motihari).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
2. The Director, Secondary Education, Govt. of Bihar, Budh Marg, Patna.
3. The Regional Deputy Director, Tirhut Division, Muzaffarpur.
4. The District Education Officer, East Champaran at Motihari.
5. Sri Pramod Kumar Gupta working as an Assistant Teacher, R.K.R.S.D. Project Girls High School Madhuban, P.O. Madhuban, District East Champaran (Motihari).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate

For the Respondent/s : Mr. Arvind Kumar, A.C. to G.P. 23

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 17-07-2019 Heard learned counsel for the petitioner and learned counsel for the respondent State.

The issue involved in the present petition is determination of seniority of the petitioner and Respondent No. 5. The issue requires proper hearing of the petitioner as well as private Respondent No. 5 by the respondent District Education Officer, East Champaran as this Court has limitation in deciding factual controversy.

Considering the aforesaid, the present writ application is disposed of with a direction to the District Education Officer,



East Champaran, to give opportunity of proper hearing to the petitioner as well as the Respondent No. 5, and thereafter, take appropriate decision with regard to the claim of the petitioner. Necessary decision may be taken by the respondent District Education Officer, East Champaran at the earliest preferably within a maximum period of 60 days from the date of receipt/production of a copy of this order.

The follow up of the determination of inter-se-seniority shall follow immediately after the determination of the seniority.

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

(Anil Kumar Upadhyay, J)

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