

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20852 of 2019

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Sunil Kumar, Son of Sri Pannalal Singh, Resident of Village- Amhadi, Police Station- Sirdala, District- Nawada. Presently residing at Nardiganj, Road Garh Par, Gondapur, P.S.- Nawada, District- Nawada. At present posted and working as a Zila Parishad Madhyamik Teacher in Plus 2 High School Amawan, Anchal- Rajouli, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Additional Chief Secretary-cum-the Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Secondary Education, Bihar, Patna.
4. The Regional Deputy Director of Education, Magadh Division, Gaya.
5. The District Education Officer, Nawada.
6. The District Programme Officer (Establishment), Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate
For the Respondent/s : Mr. Amit Bhushan, AC to GP-17

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 17-10-2019 Heard learned counsel for the petitioner and the respondents.

The petitioner has filed the present writ application for quashing of the order dated 22.07.2019 whereby the petitioner was asked to hand over the charge to one Shashi Bhushan Kumar (incharge Headmaster).

There is no post of incharge Headmaster and it is only an interim arrangement. Ordinarily, a senior most teacher is assigned the responsibility to discharge the duty of incharge



headmaster.

In the present case, there is no determination of inter se seniority of the petitioner and other teachers and as such no indulgence is granted in the matter.

In order to resolve the dispute, the writ application is disposed of with a direction to the District Programme Officer (Establishment), Nawada to determine the inter se seniority of the petitioner and Shashi Bhushan Kumar by providing opportunity to all concerned and after deciding the inter se seniority he shall assign the responsibility of incharge headmaster of the school in question.

Entire exercise in this regard must be taken by the District Programme Officer (Establishment), Nawada within a maximum period of three months from the date of receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

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