

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3998 of 2020

Binod Kumar Choudhary Son of Sri Bachoo Ram Resident of Village-
Daniyar, Koriyauna, Police Station- Govindpur, District- Nawada, At present
posted and working as a Zila Parishad Madhyamik (Secondary) Teacher in
Inter School Akbarpur, Anchal- Akbarpur, 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.
7. Shri Pramod Kumar Ghosh Son of Avinash Ghosh Zila Parishad Senior
Secondary Teacher in Inter School Akbarpur, Anchal- Akbarpur, District-
Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra
For the Respondent/s : Smt. Binita Singh (Sc28)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 26-02-2020 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the respondents.

Petitioner has filed the present writ application for
quashing of the order dated 24.8.2019 whereby the petitioner
was asked to hand over the charge to one Pramod Kumar Ghosh
respondent no.7 as (In-charge 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 Pramod Kumar Ghosh 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)

Ravi/-

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