

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22854 of 2019

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Suman Kumari D/o Lakshmeshwar Thakur Resident of Village- Pirhi, P.O.- Pirhi, P.s.- Babubarhi, Distt.- Madhubani, at present residing at Bankers Colony, Rahmanganj, P.s.- Lalbag, Distt.- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Govt. of Bihar, Patna
2. The Director Secondary Education, Govt. of Bihar, Patna
3. The Deputy Development Commissioner-cum-Chief Executive Officer Zila Parishad, Madhubani
4. The District Magistrate, Madhubani
5. The District Education Officer, Madhubani
6. The District Program Officer, Madhubani
7. The Head Master J.N.High School, Babubarhi, Madhubani

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Prasad, Advocate
For the State : Mr. Sanjay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-02-2020 The petitioner is aggrieved by the fact that despite the District Teachers Appellate Authority, Madhubani having decided in favour of the petitioner and directed for her reinstatement in service, the petitioner has not yet been reinstated.

It appears from the records that the petitioner was appointed as Home Science Teacher on 30.01.2014 by the Chief Executive Officer, Zila Parishad, Madhubani



and was posted in High School, Babubarhi in the district of Madhubani.

A Public Interest Litigation case was filed before this Court in which an order was passed for investigation of the genuineness of the certificates of such appointees. A Vigilance case was instituted and the certificate of the petitioner was found to be fake. The petitioner was made an accused in an F.I.R but was later granted bail.

The petitioner approached the District Teachers Appellate Authority, Madhubani, who, after hearing the parties held that the certificate of the petitioner was genuine and therefore directed for her reinstatement in service within fifteen days with all benefits.

The aforesaid order of the District Teachers Appellate Authority has never been put to challenge before the State Appellate Authority or before any other forum.

When the order was not being implemented, the petitioner approached the Authority concerned under



Section 15 of the Bihar State School Teachers & Employees Complaint Redressal Rules, 2015 but that has gone unheeded.

Considering the aforesaid circumstance, this Court only directs that in case a fresh application is filed under Section 15 of the aforesaid rules before the District Teachers Appellate Authority, it shall be entertained and a proceeding shall be initiated. If the claim of the petitioner is found to be tenable, a decision in that regard shall be taken within a period of four months from the date of receipt of the fresh representation.

With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

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