

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
Civil Writ Jurisdiction Case No.25583 of 2019**

Dr. Sunita Kumari W/o Dr. Umesh Kumar Resident of Village- Raja Bazar,
behind Krishna Cold Storage, P.s. and District- Jehanabad, at present posted
as Headmistress Gandhi Memorial Inter School, Jehanabad

... .. Petitioner

Versus

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

... .. Respondents

Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.Madhaw Prasad Yadaw (GP23)

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

6 18-08-2020 Once again learned counsel for the petitioner has not

joined the proceeding. The Bench Officer has informed this Court

that the link was sent to him. No telephonic request for time has

been made.

Mr. Madaw Prasad Yadav, learned GP-23 appears on
behalf of the State. Learned counsel has drawn the attention of this
Court towards Annexure 'D' to the counter affidavit filed on behalf
of respondent no. 1 to 3. It is submitted that the departmental
proceeding initiated against the petitioner vide Memo No. 1604
dated 03.07.2017 has already been concluded and a punishment of
stoppage of two annual increments with cumulative effect has



been awarded vide Memo No. 263 dated 12.02.2020 (Annexure 'D'). Learned counsel for the State, therefore, submits that if the petitioner would be aggrieved by Annexure 'D' she would have an opportunity to challenge the same in a duly constituted writ application, but so far as this case is concerned, it has become infructuous.

Since learned counsel for the petitioner is not joining the proceeding on the third consecutive day, this Court has reasons to accept the submission of learned counsel for the State.

This writ application is being disposed off as having become infructuous with liberty to the petitioner to avail her remedy as may be advised to her against the order awarding punishment to the petitioner as contained in Annexure 'D' to the counter affidavit of the respondent no. 1 to 3. All such pleas which have been taken by the petitioner in the present writ application shall be open for consideration if taken in the fresh writ application.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

