

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6589 of 2020

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Gunjan Singh Wife of Ajeet Kumar Singh, Resident of Village- Kasturichak,
Rasenchak, P.O.- Nayagaon, P.s.- Nayagaon, District- Saran at Chapra

... .. Petitioner

Versus

1. The State of Bihar Bihar
2. The District Magistrate, Saran at Chapra
3. The District Education Officer, Saran at Chapra
4. The District Programme Officer (Est.), Saran at Chapra
5. The Block Development Officer, Dighwara, District Saran at Chapra
6. The Block Education Officer, Dighwara, District Saran at Chapra

... .. Respondents

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Appearance :

For the Petitioner : Mr.Surendra Kishore Thakur, Advocate
For the Respondents : Mrs.Binita Singh (SC28)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 22-02-2021 Heard learned counsel for the petitioner and the State.

Writ petition has been filed for quashing of order dated 8.1.2020, communicated to him vide Memo no. 123, issued by the District Programme Officer (Establishment), Saran, whereby her claim for payment of salary has been rejected holding that her appointment was irregular. Petitioner has further prayed for a direction to the respondents to pay salary from the date of her appointment till passing of the order as she worked on that post without any breakage. Petitioner has also prayed for her reinstatement in service.

It appears from the records that the petitioner had earlier filed C.W.J.C.No. 17580/2017 which was disposed of on



8.3.2018 observing that *‘in view of the above, instead of keeping the matter pending, the writ petition is disposed of with direction to the respondent District Programme Officer(Establishment), Saran at Chapra to examine the relevant record and on verification if it is found that the appointment of the petitioner is legal and valid and the petitioner has worked for the period, the petitioner is claiming salary in the present writ application, necessary order for payment of arrears and current salary may be passed by the respondent District Programme Officer (Establishment), Saran at Chapra within a maximum period of 60 days from the date of receipt/production of a copy of this order.’*

Mrs. Binita Singh, learned Standing Counsel 28 appearing for the State has filed counter affidavit. She states that pursuant to the aforesaid order passed by this Court, the Block Development Officer cum Secretary, Block Employment Unit, Dighwara, Saran has passed a reasoned order vide Memo no. 1213 dated 26.11.2020 by which petitioner’s service as Hindi teacher has been cancelled.

In view of the aforesaid position, learned counsel for the petitioner seeks liberty to approach the Appellate Authority against order dated 26.11.2020.



Writ petition stands disposed of with liberty to the petitioner to take resort to the remedy of appeal before the appropriate authority which would be considered and disposed of in accordance with law without prejudice.

(Prabhat Kumar Singh, J)

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