

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21359 of 2018

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Kumari Rashmi D/o- Badshah Singh, resident of Village- Saraiya ward No. 4,
P.S.- Gopalganj, District, Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. Principal Secretary, Department of Human Resources, Government of Bihar, Patna.
3. Director, Department of Human Resources Primary Education Government of Bihar, Patna.
4. District Programme Officer Establishment Gopalganj.
5. District Superintendent of Education/District Education Officer, Gopalganj.
6. Block Education Officer, Gopalganj.
7. Block Development Officer, Gopalganj.
8. Principal, Utkramit Madhya Vidyalaya, Kunawa, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate
For the Respondent/s : Mr. Kameshwar Kumar- Gp17

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 23-11-2021

Heard Mr. Pramod Kumar Singh, learned

Advocate for the petitioner and the State.

The services of the petitioner as Teacher has been terminated because of her unauthorized and unexplained absence for about four years.

After some arguments, this case was permitted to be withdrawn by order dated 11.02.2019, in order to



enable the petitioner to prefer an appeal before the District Teachers Appointment Appellate Authority.

However later, the aforesaid order was recalled on the statement made by the counsel for the petitioner that the concerned District Teachers Appellate Authority is not functional.

That is how the matter was placed before this Court on an earlier occasion for further consideration, as the order dated 11.02.2019 was recalled by order dated 26.02.2020.

This Court had asked Mr. L.N. Rastogi, learned AAG to inform as to why no appointments have till now been made in the District Teachers Appellate Authority. This Court has been informed that with the introduction of the new Act viz. *The Bihar State Teaching Institutions Teachers and Employees (Disputes Redressal and Appeal) Rules, 2020* having come into force, a fresh advertisement has been issued and the selection process pursuant to such advertisement has been completed also. The results have



not been declared only awaiting the vigilance clearance. In all its probability, this Court has been informed, the vacant positions in the authority shall be filled and it shall become functional.

After some arguments, learned counsel for the petitioner seeks permission to approach the concerned District Teachers Appellate Authority, whenever it becomes functional, to give vent to his grievances.

The petition stands dismissed as withdrawn with the liberty to the petitioner as aforesaid.

Should such an application be filed, it shall be considered on its own merits without being prejudiced by the fact that the present petition on behalf of the petitioner has not been entertained.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
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