

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7736 of 2022

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Sunita Kumari @ Sunita Devi W/o Subhash Ram and D/o Nathuni Ram
Resident of Vilalge-Khem Matihaniya, P.O.-Durg Matihaniya, P.S. Kuchaikot
(Bishambharpur), District-Gopalganj. ... Petitioner/s

Versus

1. The State of Bihar through The Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Additional Chief Secretary, Department of Education, Government of Bihar Patna.
4. The Director, Primary Education Bihar, Patna
5. The Regional Deputy Director of Education Saran at Chapra.
6. The Collector, Gopalganj, District-Gopalganj.
7. District Education Officer, Gopalganj.
8. District-Programme Officer (Establishment) Gopalganj.
9. The District Panchayat Raj Padadhikari, Gopalganj, District-Gopalganj.
10. The Block Development Officer, Kuchaikot District-Gopalganj.
11. The Block Education Officer, Kuchaikot District-Gopalganj.
12. The Chiarmen, Prakhand Employment Unit Cum Pramukh Panchayat Samittee Kuchaikot, District-Gopalganj.
13. The Block Panchayat Raj Officer, Kuchaikot District-Gopalganj Cum Secretary, Prakhand Employment Unit Kuchaikot District-Gopalganj.
14. The Mukhiya the Gram Panchayat Raj Durg Matihaniya, Prakhand Kuchaikot District-Gopalganj.
15. The Panchayat Secretary, Gram Panchayat Raj Durg Matihaniya, Prakhand Kuchaikot District-Gopalganj.
16. The Mukhiya, Grm Panchayat, Kala Matihaniya, Prakhand, Kuchaikot District-Gopalganj.
17. The Panchayat Secretary, Gram Panchayat Raj Kala Matihaniya,Prakhand Kuchaikot District-Gopalganj.
18. The Head Master, Upgraded Middle School, Durg Matihaniya,Prakhand Kuchaikot District-Gopalganj.
19. Pankaj KUMar Pal Son of Arun KUMar Pal, Resident of Village-Jamuniya P.O.-Salehpur, P.S. Bhishambharpur, District-Gopalganj at Present Working as Prakhand Teacher in Upgraded Middle School Durg Matihaniya Prakhand -Kuchaikot, District-Gopalganj. ... Respondent/s

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Appearance :

For the Petitioner/s : Mr.Suresh Prasad Bhakta, Adv.
For the Respondent/s : Mr.Jitendra Kr. Roy 1 (Sc13)

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 27-07-2022

Heard the parties.

The petitioner by way of this writ petition has
prayed as under:

*“i. For issuance of appropriate writ for quashing
the order contained in memo no. 79 dated
05.05.2022 (Annexure-12) issued by joint
signature of the respondent no. 12 & 13 thereby
the petitioner has been removed from Panchayat
teacher and private respondent Umesh Kumar
appointed as Panchayat teacher in her place with
immediate effect.*

*ii. For issuance of appropriate writ / order /
direction commanding the State of Bihar and its
authorities concerned to re-instate the petitioner
with all consequential benefits with effect from
05.05.2022.*

*iii. For issuance of appropriate writ / order /
direction commanding the State of Bihar and its
authorities to take proper action against the
erring officials for committing grave misconduct
and nefarious act in accordance with law as well*

as passing the illegal order knowingly and intentionally to in this matter which details are mentioned in this application.

iv. For issuance of appropriate writ / order / direction, commanding the State of Bihar to pay reasonable compassion for mental agony and physical harassment sustained by the petitioner on account of grave misconduct and illegal / malafide action in passing the orders mentioned in memo no. 79 dated 05.05.2022.”

Admittedly, the petitioner was respondent no. 11 in C.W.J.C. No. 22019 of 2013 which was decided by this Court on 14.08.2019 and following directions was passed. It is informed that the petitioner challenged the said aforesaid judgment in L.P.A. No. 1479 of 2019 and the same is pending.

In light of above, the present writ petition filed by the petitioner for aforesaid prayer is wholly mis-concieved and also frivolous.

Accordingly, the writ petition is dismissed.

(Sanjeev Prakash Sharma, J)

Sadique/-
Item No. 57

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