

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2354 of 2023

Vibha Kumari D/O- Sri Vinod Prasad Gupta, Resident of Village- Sahpur Undi, P.O. and P.S.- Patori, District- Samastipur.

... .. **Petitioner**

Versus

1. The State of Bihar through the Chief Secretary Govt. of Bihar, Patna.
2. Principal Secretary Department of Education, Bihar, Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna.
4. The District Teacher Employment Appellate Authority, Samastipur through its Secretary.
5. The Presiding Officer, District Appellate Authority, Samastipur, District- Samastipur.
6. The District Magistrate, Samastipur, District- Samastipur.
7. The District Education Officer, Samastipur, District- Samastipur.
8. The District Programme Officer (Establishment), District- Samastipur.
9. The Block Development Officer, Patory, District- Samastipur.
10. The Block Education Officer, Patory, District- Samastipur.
11. The Mukhiya, Gram Panchayat Raj- Hetanpur, Block and P.S.- Patory, District- Samastipur.
12. The Panchayat Secretary, Gram Panchayat Raj- Hetanpur, Block and P.S.- Patory, District- Samastipur.
13. Mamta Kumari D/O- Nana Lal Sah Residence of Village- Chandanpur, P.S.- Patori, District- Samastipur.

... .. **Respondents**

Appearance :

For the Petitioner : Mr.Ebrahim Kabir, Advocate
For the Respondents : Mr.Madhukar Mishra, AC to SC-16

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-08-2023 Heard learned counsel for the petitioner and learned counsel for the State.

2. Petitioner, in the present case, is seeking a direction to quash the order dated 08.12.2021 passed in Case No. Appeal/130/2020 passed by the Chairman, State Appellate Authority, Education Department, Bihar, Patna (Annexure '11')



and further direction to the respondents to fix a fresh date for counseling, issue notice to all the four candidates including the petitioner and respondent no. 13 and to appoint the petitioner on the post of Panchayat Teacher in any Govt. School in Panchayat Hittanpur, Block-Patori, District – Samastipur as she is having the highest marks and to quash the letter No. 09 dated 21.06.2018 issued by the Panchayat Secreary of Niyojan Unit Hittanpur (Annexure ‘12’ to the writ application).

3. It appears from the impugned order itself that the State Appellate Authority has left it open to prefer an appeal under Rule 13 if someone is aggrieved by an action taken in compliance of the order passed by the Appellate Authority.

4. In the aforesaid view of the matter, this Court is not inclined to entertain this Writ Application.

5. Petitioner, if so advised, may avail her remedy in accordance with law. The observations of the State Appellate Authority in the impugned order shall not prejudice the case of the petitioner.

6. This Writ Application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J.)

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