

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6371 of 2018

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Seema Kumari Das Wife of Maya Nand Mandal, Resident of Village-Chainpur, Police Station- Terhagachhi, District- Kishanganj.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Primary Education, Bihar.
3. The District Magistrate, Kishanganj.
4. The District Programme Officer, Kishanganj.
5. The Regional Deputy Director, Education, Purnia.
6. The Block Education Officer, Terhagachhi, Kishanganj.
7. The Panchayat Secretary, Gram Panchayat Chilhaniya, Police Station-Terhagachhi, District- Kishanga
8. The Mukhiya Gram Panchayat Raj, - Chilhaniya, Police Station-Terhagachhi, District- Kishanganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms. Archana Sinha, Advocate
For the Respondent/s : Mr. Pramod Kumar Singh, AC to SC-16

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 24-03-2023 Heard learned counsel for the parties concerned.

The present writ application has been filed being aggrieved by the order dated 16.03.2015 at Annexure-5 passed by the Panchayat Secretary, Chilhaniya, by which the claim of the petitioner for appointment as a Panchayat Teacher in gram Panchayat Chilhaniya has been rejected. The petitioner was initially appointed on 21.2.2009 as a Panchayat Teacher. The services of the petitioner was terminated by the District Teacher Appellate Tribunal on 13.4.2012 in case No. 735 of 2009.



Aggrieved by the aforesaid order dated 21.02.2009, the petitioner approached this Court in CWJC No. 11135 of 2012 which was disposed vide order dated 4.7.2012 with a direction to the respondent to consider her for appropriate and suitable adjustment in accordance with law within a maximum period of three months. The petitioner filed MJC Case No. 6364 of 2012 alleging non-compliance of the order dated 4.7.2012.

This Court vide its order dated 20.04.2015 passed in contempt application, has disposed the contempt application holding that in compliance of the order dated 4.7.2012 passed in CWJC No. 11135 of 2012, the representation of the petitioner has been disposed by the opposite parties. Accordingly, the petitioner was given liberty to take recourse for redressal of grievance in accordance with law before appropriate forum. The representation of the petitioner pursuant to the order passed by this Court as aforesaid, was disposed by the impugned order dated 16.3.2015 (Annexure-5)

Taking into consideration the totality of the fact that the petitioner was initially appointed in 2009 and had approached the District Appellate Authority also which he passed order in 2012, I dispose this writ application with liberty to the petitioner to approach the State Appellate Authority



against the order passed by the District Appellate Authority as well as the impugned order in the present case dated 16.3.2015 (Annexure-5) within a period of one month along with condonation of delay petition.

It is made clear that if such an application along with condonation of delay petition is filed before the State Appellate Authority, the State Appellate Authority will consider the same in accordance with law.

(Anil Kumar Sinha, J)

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