

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13289 of 2019

Mostt. Shail Kumari Wife of Late Triveni Prasad Deo, Resident of village-
mahadeopur, P.S.- Amarpur, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary, Human Resources Development Department Government of Bihar, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. The District Education Officer, Banka.
4. The District Programme (Est.) Banka.
5. Treasury Officer, Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s : Ms. Pravina Kumari, Advocate.

For the Respondent/s : Mr. Pramod Kumar Singh, AC to SC-16

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 28-03-2023 Heard learned counsel for the parties concerned.

Learned counsel for the petitioner submits that vide Annexure-2, the punishment was imposed upon husband of the petitioner along with two other persons vide order dated 23.7.2008. The aforesaid order at Annexure-2 was challenged by similarly situated persons by way of filing writ application before this Court in CWJC No. 7702 of 2014 and the same was disposed vide order dated 31.10.2018 wherein the order of punishment dated 23.7.2008 was set aside and the respondents were directed to restore the benefit to the petitioner within a maximum



period of four months. She further submits that the case of the petitioner is fully covered with the order dated 31.10.2018 passed in CWJC No. 7702 of 2014 and its analogous case. This submission is not disputed by the learned counsel for the State. However, he submits that husband of the petitioner did not take step to challenge the order passed in 2008 and the same has been challenged after disposal of the aforesaid writ application.

Learned counsel for the petitioner in reply submits that the petitioner is a widow and immediately after the impugned order was passed her husband had died in 2009 and after coming to know about the impugned order, the petitioner has challenged the same.

Having heard learned counsel for the parties and taking into consideration the fact that the impugned order by which the husband of the petitioner as well as two others were inflicted punishment, has been quashed by a coordinate Bench of this Court, the present writ application is disposed exactly in terms of the order dated 31.10.2018 passed in CWJC No. 7702 of 2014 and its analogous case. Resultantly, the impugned order dated 23.07.2008



(Annexure-2) is hereby quashed.

(Anil Kumar Sinha, J)

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