

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12882 of 2022

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Bibi Saleha Khatoon W/o Ikramul Haque, R/o Vilage-Kundi Jamgaon, P.S.- Jagdishpur, District-Bhagalpur at present posted as Block Teacher at Upgraded Middle School Chakbir West (Urdu), Block-Rajaon, District-Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Magistrate, Banka, District - Banka.
5. The District Education Officer, Banka, District-Banka.
6. The District Programme Officer, Establishment (Education) Banka, District-Banka.
7. The Block Development Officer-cum-Member-Secretary, Block Employment Unit, Rajaon, District-Banka.
8. The Block Education Officer, Block-Rajaon, District-Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Mrityunjay Kumar, Advocate Mr. Mukesh Kumar Singh, Advocate
For the Respondent/s	:	Mr. Jitendra Kumar Roy 1, SC-13

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL JUDGMENT

Date : 21-02-2023

Heard the parties.

2. Learned counsel for the parties jointly states that
the issue involved in the present writ petition is covered by the



Judgment dated 19.10.2022 passed in **C.W.J.C. No. 16214 of 2019 (Md. Ataur Rahman & Ors. Vrs. Union of India & Ors.)** and analogous cases as reported in **2023 (1) B.L.J. 176**, and this matter comes under **Category- “H”**.

3. This court, in **Category - “H”** cases, decided as under:-

“Category H

01. After having examined generally the facts of each case, this Court finds that the directions as issued herein above for each category would also govern the petitioners. Herein, it is for the State Government to examine facts of each and every teacher in terms of the order passed above. The petitioners would be free to make individual appropriate representation mentioning their own facts and the authority above, as designated by the Director Education, shall after referring to the directions of this Court in the preceding para's, pass a speaking order.

02. State Government considering the directions issued herein above, would also take decision with reference to the present petitioners. In spite thereto, if any grievance of any individual person is not meted out, he or she shall be free to individually file an appeal before the concerned District Appellate Authority for redressal of his or her grievance.”



4. Keeping in view the above, the present writ petition
stands disposed of in the aforesaid terms.

(Sanjeev Prakash Sharma, J)

Amrendra/-
Item No. 11

AFR/NAFR	
CAV DATE	
Uploading Date	22.02.2023
Transmission Date	

