

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13774 of 2022

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Tarannum Parveen, W/o-Jamil Akhtar, R/o-At and P.O.-Mehsaul Got, P.S.-
Sitamarhi, District-Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director, Primary Education, Govt. of Bihar, Patna.
3. The District Education Officer, Sitamarhi.
4. The District Programmer Officer (Estt.), Sitamarhi.
5. The Block Development Officer, Block-Dumra, District-Sitamarhi.
6. The Block Education Officer, Block-Dumra, District-Sitamarhi.
7. The Panchayat Secreary, Gram Panchayat Raj Mehraul Got, Block-Dumra, District-Sitamarhi.
8. The Mukhiya, Gram Panchayat Raj Mehraul Got, Block-Dumra, District-Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajeev Kumar Singh, Advocate
For the Respondent/s	:	Mr. Madanjeet Kumar, GP-20

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL JUDGMENT

Date : 23-02-2023

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

“(i) To quash the order contained in letter no.585 dated 27.02.2016 issued by the D.P.O. (estt), Sitamarhi, so far it relates to petitioner, by which direction has been issued to the Panchayat Secretary, Gram Panchayat Raj Meshol Got, Block-Dumra, Sitamarhi and other panchayats that letter dated 18.02.2016, pursuant to which petitioner was appointed has been cancelled and further has been



directed that any decision taken pursuant to the same will be deemed to be cancelled. A copy of letter no.585 dated 27.02.2016 is annexed as Annexure-1 to this application.

(ii) To quash the memo no.588 dated 29.02.2016 issued by the District Education Officer, Sitamarhi by which a general order has been issued stating therein that the guidelines which were issued I pursuance to the order of Appellate Authority with regard to some other Panchayat is not applicable for the rest of Panchayats further no appointment shall be made without further direction of education department. A copy of memo no.588 dated 29.02.2016 is annexed as Annexure-2 to this application.

(iii) To quash the follow up order contained in letter no.110 dated 02.02.2017 issued by the Block Education Officer by which a direction has been issued to the Panchayat Secretary-cum-Secretary, Appointing Authority, Gram Panchayat Raj Mehsol Got. Block-Dumra, District-Sitamarhi to cancel the appointment of petitioner. A copy of letter dated 02.02.2017 is annexed as Annexure-3 to this application.

(iv) To direct the respondents to pay the arrears of salary to the petitioner with appropriate statutory interest which is due since the date of joining i.e. 17.03.2016 till date as well as to pay the salary to the petitioner on month to month basis.

(v) To direct the respondents not to disturb the petitioner from discharging her duties on the post of Panchayat Teacher in the Primary School, Pratap Nagar, Mehsaul Got. Dumra, Sitamarhi.”



2. Admittedly, the petitioner is a **Block Teacher/ Panchayat Teacher** and would be amenable to jurisdiction under the District Appellate Authority. Keeping in view the law laid down by this Court in **C.W.J.C. No. 5489 of 2020 (Suresh Ram Vs. The State of Bihar & Ors.)** and connected matters reported in **2022 (2) B.L.J. 381, 2022 (2) P.L.J.R. 80** and the Judgment dated 07.03.2022, passed in **C.W.J.C. No. 34 of 2022 (Minakshi @ Sushre Minakshi & Anr. Vrs. The State of Bihar & Ors.)**, the writ petition is dismissed with liberty to file appeal before the concerned District Appellate Authority.

Learned counsel is free to cite the judgment passed by this Court before the District Appellate Authority.

(Sanjeev Prakash Sharma, J)

Ashwini/-
Item No.17

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.02.2023
Transmission Date	NA

