

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3037 of 2023

Prerna Tiwari @ Km. Prerna Tiwari D/o Sri Sunil Nath Tiwari @ Sunil Kumar Tiwari Resident of Village and P.O.-Kusaundhi, P.S.-Mirganj, District-Gopalganj, Presently Posted as Panchayat Teacher in Primary School, Sahebachak, Block- Hathua, District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Primary Education, Government of Bihar, New Secretariat, Patna.
2. The Director, Primary Education, Government of Bihar, New Secretariat, Patna.
3. The District Magistrate, Gopalganj.
4. The Deputy Development Commissioner, Gopalganj.
5. The District Education Officer, Gopalganj.
6. The District Programme Officer (Establishment), Gopalganj.
7. The Block Education Officer, Hathua, P.O. and P.S.-Hathua, District-Gopalganj.
8. The Panchayat Secretary, Gram Panchayati Raj Kandhgopi, Anchal-Hathua, District-Gopalganj
9. The Headmaster, Primary School, Sahebachak, Block-Hathua, District-Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bipin Bihari Singh
For the Respondent/s	:	Mr. Madanjeet Kumar (GP-20)
		Mr. Narendra Kumar, AC to GP-20

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 2 | 02-01-2024 | <ol style="list-style-type: none">1. Heard learned counsel for the parties concerned.2. The present writ application has been preferred against the impugned order passed by the District Programme Officer (Establishment), Gopalganj vide Memo No. 241, dated 23.01.2023, annexed at Annexure-3 to the writ application, by which the appointment of the petitioner |
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has been cancelled with further direction for institution of First Information Report against the petitioner. The Enquiry Committee has submitted a report in which the committee has recommended that the petitioner, alongwith others, have obtained the appointment on the basis of forged documents.

3. Learned counsel for the petitioner submits that from perusal of the impugned order it would be evident that there appears to be some differences in the documents/certificates produced by the petitioner, alongwith difference in the photocopies of the original documents/certificates.
4. Learned counsel for the State-respondents submits that the matter relates to the appointment of Panchayat Teacher for which the District Teacher Employment Appellate Authority has been constituted and the same is functional in the district of Gopalganj.
5. Taking into consideration the nature of dispute and the fact that the District Teacher Employment Appellate Authority is functional, the present writ application is disposed with liberty to the petitioner to file an appeal before the District Teacher Employment Appellate



Authority, Gopalganj

6. It is made clear that if an appeal is filed within one month from today, with condonation of delay petition, the District Teacher Employment Appellate Authority shall consider the same and shall pass a reasoned order, in accordance with law, within a reasonable time frame.
7. With the aforesaid observations and directions, this writ application is disposed.

(Anil Kumar Sinha, J)

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