

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17703 of 2015

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Khusboo Kumari, D/o- Late Lalan Kumar Singh, R/o Village- Gulmi, P.S.-
Shambhuganj, District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna
3. The Director (Higher Education), Government of Bihar, Patna
4. The Director (Primary Education), Government of Bihar, Patna
5. The Regional Deputy Director Munger
6. The District Collector Munger
7. The District Education Officer, Munger
8. The District Programme Officer (Establishment)
9. The Block Development Officer Haveli Khadagpur, Munger
10. The Block Education Officer, Haveli Khadagpur, Munger

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajkumar Rajesh, Advocate
For the Respondent/s : Mr. Gautam Bose, AAG-8

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 13-02-2024 1. The petitioner has filed the instant application for
the following relief :-

“1. That this is an application for issuance of a writ in the nature of Mandamus directing and commanding the respondents to treat the service of petitioner on the Post of Assistant Teacher from the date of her appointment on prakhand teacher by creating Post of Assistant Teacher in view resolution bearing memo no. 17402 dt. 20.11.2014 issued under the signature of joint secretary of state education department in pursuant to the order dt. 02.7.2013 passed by the



Hon'ble Supreme Court in S.L.P. No. 5328/2012 by which order the order dt. 19.2.2009 passed by this Hon'ble court in CWJC No. 7218/2007 was affirmed giving the petitioner all legal and consequential benefits such as arrear of salary seniority promotion attached to the said Post and/or pass any other reliefs/reliefs for which the petitioner is final to be entitled."

2. At the outset, learned counsel for the respondents submits that the case of the petitioner is distinguishable from the case of one Vishwanath Pandey on which reliance is being placed by learned counsel for the petitioner. In so far as the petitioner of the instant application is concerned, his father died and he was appointed both after coming of the 2006, Rules. Learned counsel for the State further places reliance on the Full Bench judgment of this Court in the case of State of Bihar v. Rajeev Ran Vijay Kumar (FB) reported in 2010 (3) PLJR 294.

3. At this stage, learned counsel for the petitioner seeks permission to withdraw this application.

4. This application is dismissed as withdrawn.

(Partha Sarthy, J)

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