

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.16450 of 2019**

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Sarswati Kumari D/o Sri Kamlesh Shah, W/o Sri Ashish Kumar, Ex. Panchyat Teacher, Primary School, Mohania, R/o Village Bela, Post laukaha Block Supaul, P.S. Supaul, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Panchayati Raj Govt. of Bihar.
2. The Principal Secretary, Human Resources, Govt. of Bihar, Patna.
3. The District Magistrate, Supaul.
4. The Superintendent of Police, Supaul, Dist. Supaul.
5. The Deputy Superintendent of Police, Vigilance Investigation Bureau, Patna.
6. The Deputy Superintendent of Police, Supaul, Dist. Supaul.
7. The District Education Officer, Supaul, Dist. Supaul.
8. The District Programme Officer, Establishment, Supaul.
9. The Block Education Officer, Supaul, District- Supaul.
10. The Panchayat Secretary-Cum-Member Secretary, Panchayat Niyojan Samiti, Goth Baruyari Panchayat Raj, Block- Supaul, District- Supaul.

... .. Respondent/s

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**Appearance :**

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|----------------------|---|--------------------------------|
| For the Petitioner/s | : | Mr. Shambhu Sharan Singh, Adv. |
| For the State        | : | Ms. Namrata Singh, Adv.        |
| For the Vigilance    | : | Mr. Anil Singh, Adv.           |

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL JUDGMENT**

**Date : 14-05-2024**

Heard learned counsel for the parties.

2. The present writ application has been filed on behalf of the petitioner for the following reliefs:-

*(i) To quash the Acknowledgment No. 53 dated 12.10.2018 issued by Respondent no.10 in pursuance of Letter No. 1166(Ni) dated 17.09.2018 issued by the respondent no.7 against the petitioner from the post of Panchayat Teacher,*



*Primary School Mohania; a glare violation of principal of natural justice as without giving an opportunity to defend her, served service of 11 years to the said post.*

*(ii) To reinstate the petitioner at petitioner's original post of Panchayat Teacher, Primary School Mohania.*

*(iii) To stay on proceeding of recovery of salary for the said service period under Public Demand Recovery Act, issued vide Acknowledgment No. 53 dated 12.10.2018 passed by respondent no.10.*

*(iv) To direct the respondents Authorities for payment of salary for the intervening periods to the petitioner as the petitioner has been un-employed throughout the period and contesting the legal fighting, imposed by the concerned respondents Authorities.*

3. Learned counsel for the petitioner submits that the case of the petitioner is squarely covered with the judgment dated 08.04.2024, rendered by this Court in C.W.J.C. No. 7288 of 2019, hence the present writ petition can also be disposed of in light of the said judgment dated 08.04.2024.

4. In view of the fair submission made by learned counsel for the petitioner, in my view, no useful purpose would be served keeping this writ application pending.

5. Keeping in view the aforesaid, I dispose of the petition setting aside the Annexure-1 series of the writ application, with



respect to the present petitioner only and authority concerned is directed to reinstate the service of the petitioner and she shall be entitled to all the consequential benefits. The entire exercise in this regard must be completed by the respondent Authorities within a maximum period of two months from the date of receipt/production of a copy of this order.

6. The Respondent-Authorities are also given opportunity to initiate fresh departmental proceedings, if required.

**(Anjani Kumar Sharan, J)**

divyanshi/-

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| AFR/NAFR          | NAFR       |
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