

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14040 of 2023

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Veena Kumari Wife of Alok Kumar, Resident of Durgasthan 1 no. Colony,
Katihar, Police Station (Town), District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Human and Resources Department, Government of Bihar, Patna.
2. The Principal Secretary, Human and Resources Department, Government of Bihar, Patna.
3. The District Magistrate, Katihar.
4. The District Education Officer, Katihar.
5. The Block Development Officer, Kadwa, District- Katihar.
6. The Block Teacher Employment Unit cum Executive Officer, Panchayat Samiti, Kadwa, District- Katihar.
7. The Chairman, Block Teacher Employment Samiti, Kadwa, District- Katihar.
8. The Block Panchayat Raj Officer, Kadwa, District- Katihar.
9. The Block Education Officer, Kadwa, District- Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Surendra Kumar Choubey, Advocate
For the State	:	Mr. Madan Jeet Kumar, GP-20

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-12-2024 Heard learned counsels for the parties.

2. This writ application has been filed for the following relief/s:-

“i) Issuance of a writ in the nature of writ of certiorari quashing the order issued by Memo No.527/Kadwa dated / 01.08.2023 by the Secretary, Block Teacher Employment Unit, Kadwa, so for petitioner is concerned whereby and whereunder he has been pleased to transfer the petitioner from Rajkiya middle School, Pahalagarh to Utakramit Middle School,



Kachaura Purva Block, Kadwa.

- ii) Issuance of a writ in the nature of writ of mandamus directing the respondents not to disturb the petitioner in any manner and reinstate her in the previous school i.e. Rajkiya middle School Pahalagarh taking into the consideration that petitioner is a woman having suffering from illness and there is no any charges of financial irregularities, moral turpitude or other serious charges against her.*
- iii) Issuance of a writ in the nature of writ of mandamus directing the respondent-authorities to consider the representations of the petitioner dated 12.08.2023 and 23.08.2023 filed regarding her illegal transfer by concerned respondents.*
- iv) Issuance of any other writ(s) or order(s) or direction(s) which may be deemed fit and proper in the facts and circumstances of the case.”*

3. At the outset, learned counsel appearing on behalf of the petitioner submits that during pendency of this case, petitioner has already joined the transferred school i.e. Utakramit Middle School, Kachaura Purva Block, Kadwa and as such, the instant writ application has become infructuous. However, learned counsel requests for disposal of the present writ application granting liberty to the petitioner to raise her grievances by filing fresh representation before the Block Teacher Employment Unit-cum-Executive Officer, Panchayat Samiti, Kadwa, District- Katihar (Respondent No. 6), along with



all the necessary documents and details in support of her claim.

4. In view of the nature of grievance raised by the petitioner, this writ application is disposed of with liberty to the petitioner to file fresh representation before the Block Teacher Employment Unit-cum-Executive Officer, Panchayat Samiti, Kadwa, District- Katihar (Respondent No. 6) along with all the necessary documents and details in support of her claim within a period of four weeks from today.

5. In the event the petitioner files her representation within the stipulated period, the Block Teacher Employment Unit-cum-Executive Officer, Panchayat Samiti, Kadwa, District- Katihar (Respondent No. 6) shall dispose of the same, in accordance with law, after hearing the parties, by a reasoned and speaking order, preferably within a period of three months from the date of filing of the representation.

(Prabhat Kumar Singh, J)

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