

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4878 of 2022

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Sheo Mala Kumari daughter of Prabhunath Prasad, wife of Tarkeshwar Prasad, resident of Village- Dhankhar, Markan, P.S.- Hussainganj, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Additional Chief Secretary-cum- the Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The District Magistrate, Siwan.
5. The District Education Officer, Siwan.
6. The District Programme Officer (Establishment) Siwan.
7. Rita Kumari, Daughter of Shri Gati Lal Prasad, wife of Shri Bhagwan Prasad, resident of Village- Bhaluara, Police Station- Tarwara (G.B. Nagar), District- Siwan. At present posted and working as a Prakhanda Teacher in Govt. Upgraded Middle School Bhaluara, Anchal- Barharia, District- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate
For the Respondent/s : Mr. Prabhakar Jha, GP-27

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 30-01-2025 Heard the learned counsel for the petitioner and

learned counsel for the State.

2. The present writ application has been filed for
following reliefs:-

“i. For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to cancel the appointment / selection of private respondent - Rita Kumari, Daughter of Shri Gati Lal Prasad wife of Shri Bhagwan Prasad, resident of village Bhaluara,



Police Station Tarwara (G.B. Nagar), District Siwan, who is at present posted and working as a Prakhand Teacher in Govt. Upgraded Middle School Bhaluara, Anchal fraudulently using Barharia, District Siwan by the name and educational certificates of the petitioner Sheomala Kumari since 2005 as Panchayat Shiksha Mitra and thereafter as Prakhand Teacher.

ii. For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to take an appropriate action against the private respondent Rita Kumari for fraudulently using the name and educational qualifications of the petitioner for obtaining appointment as a Panchayat / Prakhand teacher.

iii. For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner will be found entitled in the facts and circumstances of the case.”

3. Learned counsel for the petitioner submits that he had already represented before the District Magistrate, Siwan-respondent no. 4, but till date his representation has not been disposed by the respondent no. 4.

4. Considering the above made submission, petitioner is directed to file a fresh representation before the respondent no. 4 within a period of four week's and the respondent no. 4 is well advised to consider the case of the petitioner and pass a reasoned and speaking order in accordance



with law, after hearing the petitioner or his counsel, within a period of two months thereafter.

5. Accordingly, the writ petition stands disposed of.

(Anjani Kumar Sharan, J)

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