

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2920 of 2026

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Kumari Rashmi Daughter of Badshah Singh, Resident of Sareya, Ward No. 5,
P.O. and P.S.- Gopalganj, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
2. The Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
3. The District Education Officer, Gopalganj.
4. The District Programme Officer (Establishment), Gopalganj.
5. The Block Teacher Employment Unit, Gopalganj Sadar, P.O. and P.S.- Gopalganj, District- Gopalganj through its Secretary.
6. The Block Development Officer-cum-Secretary, Block Teacher Employment Unit, Gopalganj Sadar, P.O. and P.S.- Gopalganj, District- Gopalganj.
7. The Block Education Officer, Gopalganj Sadar, P.O. and P.S.- Gopalganj, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh, Adv.
For the Respondent/s : Mr. Kamlesh Kishore, AC to SC-12

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 20-04-2026 Heard learned counsel for the petitioner and learned
counsel appearing for respondent-State.

2. The District Programme Officer (Establishment)
Gopalganj, Mr. Saheb Alam is personally present in compliance
of previous order dated 13.03.2026, however the District
Education Officer, Gopalganj is not personally present despite
their being specific order for his personal appearance.

3. The petitioner has moved this Court for a direction
to the respondents for reinstatement and consequential benefits



in view of the order passed by the District Teacher Appellate Authority, Gopalganj vide order dated 02.08.2023 in Appeal Case No.03 of 2023 (Kumari Rashmi vs. The District Education Officer, Gopalganj & Ors.), which has attained finality in absence of challenge of the order of the District Teacher Appellate Authority before appropriate Forum or Court of law within the period prescribed. The selection process was initiated in the year 2006 for the selection of Panchayat Teacher and after completing the due process and considering her eligibility and suitability against respective post, the petitioner was selected/appointed by Employment Committee completing due process against vacant post. In this regard a formal letter for appointment was also issued to the petitioner vide Letter no.11 dated 25.01.2007 and the petitioner was posted in Primary School, Jadopur Raj under Jadopur Shukla Panchayat in Gopalganj Sadar Block and the petitioner started performing her duties from the date of her joining i.e. 25.01.2007.

4. It is submitted by learned counsel for the petitioner that the petitioner pursuant to her joining on 25.01.2007 was discharging her work satisfactorily and there was never any complain or adverse remark against the petitioner. On 18.02.2014 vide Memo no.533 the petitioner was deputed to



Primary School Gurmia, Gurmia Tola, Block-Vijaypur, Gopalganj for four months. The petitioner joined at the transferred place and in the meanwhile on 19.04.2014 vide Memo no.555 her deputation was cancelled by the District Education Officer, Gopalganj and the petitioner was directed to join at her parental school on 24.04.2014. While the petitioner was on her way to joining the parental school, she is said to have fallen from the motorcycle and got herself injured. She was taken to the hospital and was admitted. She remained under treatment for long. The petitioner had informed the Employment Unit and other officials through various letters and when the petitioner recovered and was fit to join her school on 21.09.2018 before the Block Development Officer-cum-Secretary Block Teacher Employment Unit, Gopalganj, Sadar Gopalganj, the petitioner was informed that her appointment / engagement had been cancelled vide order bearing Memo No.1270 dated 04.09.2014.

5. Being aggrieved with the cancellation of her appointment the petitioner challenged the same by filing a writ application before this Court bearing CWJC No.21359 of 2018, which was disposed of on 23.11.2021 (Annexure-P/1) with the direction to approach the concerned District Teacher Appellate



Authority for redressal of her grievances.

6. In compliance of the order passed by this Court in CWJC No.21359 of 2018, the petitioner preferred Appeal No.03 of 2023 before the District Teacher Appellate Authority, Gopalganj seeking relief for setting aside the order bearing Memo No.1270 dated 04.09.2014 by which the petitioner's appointment had been cancelled without following required process. It is stated that the issue was examined in detail by the District Teacher Appellate Authority, Gopalganj and finally the appeal was allowed by setting aside the order contained in Memo No.1270 dated 04.09.2014 by which the petitioner's appointment had been cancelled. The final order was passed by the District Teacher Appellate Authority on 02.08.2023 (Annexure-P/2).

7. It is further stated by learned counsel appearing for the petitioner that for compliance of the order dated 02.08.2023 passed by the District Teacher Appellate Authority, on numerous occasion the petitioner represented before the authorities, particularly, the District Education Officer, Gopalganj and District Programme Officer (Establishment), Gopalganj, but till date petitioner has neither been reinstated in service nor she has been given any consequential benefit.



8. Since final order was passed by the District Teacher Appellate Authority dated 02.08.2023 was not been complied with by the District Education Officer, Gopalganj and District Programme Officer (Establishment), Gopalganj, the petitioner was compelled to file a Misc. Case No.06 of 2023 before the District Teacher Appellate Authority complaining about non-implementation of the order dated 02.08.2023. This miscellaneous case was heard in detail and taking note of the facts, the District Teacher Appellate Authority had awarded punishment of Rs.50,000/- cost on Shri Raj Kumar Sharma, the then District Education Officer, Gopalganj. The order imposing punishment of Rs.50,000/- is contained in Memo No.551 dated 14.03.2024 (Annexure-P/3). The petitioner contends that even this fifty thousand rupees which was imposed by way of punishment has not been deposited till date, as per the order.

9. It is further submitted by learned counsel for the petitioner that despite all the above developments having taken place, till date the petitioner has not been reinstated in service and no consequential benefits have been given to her by the District Education Officer, Gopalganj as well as by the District Programme Officer (Establishment), Gopalganj.

10. Taking into account that the order passed by the



District Teacher Appellate Authority, Gopalganj dated 02.08.2023 in Appeal Case No.03 of 2023 has attained finality, the authorities, particularly the District Education Officer, Gopalganj and District Programme Officer (Establishment), Gopalganj are bound to comply with the same. The District Education Officer, Gopalganj and District Programme Officer (Establishment), Gopalganj are therefore directed to ensure the compliance of the order dated 02.08.2023 passed by the District Teacher Appellate Authority, Gopalganj in Appeal Case No.03 of 2023 within a period of two weeks from today.

11. Similar situation had arisen in the case of Raju Yadav vs. The State of Bihar & Ors in CWJC No.13018 of 2025 wherein the District Education Officer, Gopalganj was not complying with the order passed by the District Appellate Authority, Gopalganj and this Court had taken a serious view of the matter.

12. Since the authorities of the State are refusing to carry out the lawful orders passed by the Tribunal, therefore, taking into account the seriousness of the matter, let this order be communicated to the Additional Chief Secretary, Education Department, Government of Bihar, Patna for taking appropriate action against the District Education Officer, Gopalganj as well



as against the District Programme Officer (Establishment), Gopalganj, for issuing necessary orders in this regard. It is further directed that the District Education Officer, Gopalganj and the District Programme Officer (Establishment), Gopalganj be called upon to explain by the departmental head, as to why the order of the District Appellate Officer, Gopalganj is not being complied with and appropriate proceedings be drawn against these authorities for keeping the house in order besides awarding appropriate compensation for causing unnecessary harassment to the petitioner. The amount of compensation shall be quantified by the said authorities and the same shall be recovered from the District Education Officer, Gopalganj and District Programme Officer (Establishment), Gopalganj by instituting departmental proceedings against them.

13. With the aforesaid observation and direction, this writ application stands disposed of. All pending I.As, if any shall be deemed to have been disposed of.

(Alok Kumar Sinha, J)

Prakash Narayan

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