

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6226 of 2019

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Madhuri Kumari W/o Subodh Kumar Res. of Vill.- Namunapur, P.S.-
Gaurichak, Distt.- Patna. At Present Res. of Type 3 Block R.N.-50 Ashok
Vihar Colony, Nidhi Nikunj Colony Pahadiya Varanashi (Uttar Pradesh)

... .. Petitioner/s

Versus

1. The State of Bihar and Ors Through Principal Secretary, Education
Department, Govt. of Bihar, Patna.
2. The Director Primary Education Bihar, Patna.
3. The District Magistrate Bhojpur, Arah
4. The District Education Officer Arah (Bhojpur)
5. The District Programme Officer Establishment Arah (Bhojpur)
6. The Block Education Officer Arah Sadar, Arah
7. The Block Development Officer Arah (Bhojpur)
8. The Headmaster Utkramit Middle School Mathwalia, Arah (Bhojpur)

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manish Mohan Kateryar
For the Respondent/s : Mr. Madhaw Prasad Yadaw (Gp23)

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

4 06-01-2026 In the instant petition, petitioner has prayed for the
following relief(s):-

*“(A) A writ in the nature of
mandamus or any other appropriate writ
order/orders direction commanding the
respondent for following*

*(i) To accept the joining of the
petitioner forthwith and allow her to
discharge her duty in the school.*

*(ii) To treat that petitioner is in
duty continue.*

*(iii) To grant leave for the
period 1-4-16 to 8-5-18 on the said
period the petitioner did not attend his
duty to the illness.*

(iv) To pay the dues salary to



the petitioner forthwith.

*(B) To any other relief/reliefs
petitioner is found entitle to.”*

2. Counsel for the petitioner submits that due to medical exigencies, the petitioner got absent from his service and had to undergo treatment at Varanasi, and while undergoing medical treatment, the petitioner was diagnosed with *Jaundice* and *Asthma* for which he was advised to take rest, and accordingly, after having been declared fit to join services, the petitioner is said to have submitted his joining, but their joining was not accepted.

3. It has next been submitted that vide Annexure-9 had submitted joining, but the same was not accepted, and pursuant to non-acceptance, the petitioner was forced to file a writ petition. On the other hand, counsel for the State submits that he has received instruction that the petitioner may be directed to file appropriate representation annexing all medical certificates, for the purpose of acceptance of joining, which would be accepted.

4. Considering the stand of the authorities, this Court finds it appropriate to direct the petitioner to submit joining by filing representation annexing all such letters/representation perviously submitted before the authorities including the



medical documents, and as also fitness certificate, which is issued by the concerned treating doctor, before Respondent No. 7 – Block Development Officer Arah (Bhojpur), within a period of two weeks from today.

5. On submission of representation, it is expected that the petitioner's joining shall be accepted forthwith, and the issues of salary shall also be considered by the appropriate authority, and an appropriate order with regard to salary shall also be passed by the authority competent in law within a period of four weeks in accordance with law, if the petitioner is otherwise entitled in law, for which the petitioner would be filing a separate representation.

6. Accordingly, the instant writ petition stands disposed of.

(Ajit Kumar, J)

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