

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1978 of 2019

In
Civil Writ Jurisdiction Case No.6212 of 2016

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Smt. Kamini Devi, wife of Sri Narendra Narain Mallik, resident of Shastri Nagar, P.S. K Hat, P.O. Purnia, District-Purnia.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shri Ugresh Prasad Mandal, the District Education Officer, Madhepura, District-Madhepura. .

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Uday Chand Prasad, Advocate Mr. Sushanta Kumar Das, Advocate Mr. Manoj Kumar, Advocate Mr. Pooja Prasad, Advocate
For the Opposite Party/s	:	Mr. P. K. Shahi, Sr. Advocate, Advocate General Mr. Abhanjalli, AC to GA-12 Mr. Apurva Kumar, AC to GA-12

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

11 06-02-2026 An interlocutory application is sought to be filed, copy whereof has already been filed online. Let the same be kept on record.

2. The learned Advocate General has pointed out that the scheme formulated vide अस्थायी स्थानापन्न कार्यकारी व्यवस्था नियमावली, 2023 is applicable to such retired employees who have superannuated in between 11.4.2019 to 13.10.2023, hence considering the original order passed by this Court dated 30.10.2018 in CWJC No.6212 of 2016, no relief can be granted to the petitioner in the present contempt proceeding since she superannuated on 31.03.2006, nonetheless the petitioner can



seek for appropriate relief by filing fresh writ petition by showing that the order of status quo passed by the Hon'ble Apex Court in the case of State Government & Ors. vs. Sushil Kumar Singh would not be applicable in the case of the petitioner.

3. In view of the aforesaid, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file fresh writ petition with regard to her subsisting grievance.

4. The opposite parties do not have any objection.

5. Accordingly, while granting liberty to the petitioner to file fresh writ petition for redressal of her grievance regarding grant of promotion and payment of consequential benefits, I deem it fit and proper to dispose of the present petition.

(Mohit Kumar Shah, J)

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