

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.744 of 2014

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1. Rita Kumari Wife Of Umesh Kr. Singh Resident Of Village- Kamarpur Dhawa
P.O. Dhanadihari, District- Jehanabad

.... Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary Education Department, Govt. Of Bihar, Patna
2. The Principal Secretary, Education Department, Govt. Of Bihar, Patna
3. The Director, Primary Education, Govt. Of Bihar, Patna
4. The District Magistrate, Jehanabad
5. The District Teacher Employment Appellate Authority, Jehanabad
6. The District Education Officer, Jehanabad
7. The District Superintendent of Education-Cum-District Programme Officer, Jehanabad
8. The Block Education Officer, Ratani Faridpur Block, District- Jehanabad
9. The Panchayat Secretary, Jhunathi Gram Panchayat, Under Ratani Faridpur Block, District- Jehanabad
10. The Mukhiya, Jhunathi Gram Panchayat, District- Jehanabad

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Respondent/s : Mr. Ashok Priyadarshi, GA 4

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 16-02-2015

The impugned order contained in Annexure- 4 is not required to be interfered with, which is an order of the District Teachers Employment Appellate Authority, Jehanabad, for the simple reason that the petitioner cannot be appointed on the post of a Panchayat Teacher now. The selection was effected in the year 2009. Such selection became controversial and one or the other orders have been passed leading to even removal of some of the candidates so selected. Since rules have undergone change, therefore, new

appointment and selection will have to be made under the prevalent rules today. There will be no order in favour of the petitioner to appoint her or consider her for appointment at this belated stage.

If a fresh process is initiated, petitioner surely will have a right for consideration, if she fulfils the requirement and the eligibility. Previous transaction cannot form basis for any direction for consideration on the basis of old set of rules.

Writ is dismissed.

(Ajay Kumar Tripathi, J)

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