

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14603 of 2015

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Chandan Kumar S/o Shri Umesh Kumar Azad R/o village - Balna, P.O.
Chhatu Bagh, P.S. Chandauti, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna
2. The Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna
3. The Director, Primary Education, Govt. of Bihar, Patna
4. The District Magistrate, Gaya, District Gaya
5. The District Education officer, Gaya, District Gaya
6. The District Programme officer (Establishment), Gaya, District Gaya
7. The Block Education Officer, Block Gaya, District Gaya
8. The Mukhia of the Gram Panchayat, Moratal, P.S. Bodhgaya, District - Gaya
9. The Panchayat Secretary, Gram Panchayat, Moratal, P.S. Bodhgaya, District - Gaya
10. The Member of District Teacher's Employment Appellate Authority, District Gaya
11. Devanand Singh S/o Dasrath Singh R/o village - Mankausi, P.S. Bodhgaya, District - Gaya

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate.
For the Respondent/s : Smt. Namrata Mishra- Ga13

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 17-09-2015 Heard learned counsel for the parties.

Having regard to the fact that the petitioner's services on the post of Panchayat Teacher were terminated wayback in the year 2009 and that the Member, District Teacher Employment Appellate Authority (hereinafter referred to as 'the Tribunal') had rejected the case of the petitioner on 13.07.2011, this Court, after more than four years of the order of the Tribunal and in fact more than six years of his removal from service, is not inclined to

interfere in the matter.

The only submission of Mr. Sarda Nand Mishra, learned counsel for the petitioner, that the private respondent, who got appointment in place of the petitioner, had also not the proper qualification and his marksheet was forged, is an aspect which ought to have been raised by the petitioner before the Tribunal.

That being so, this writ application now is dismissed only on the ground of delay and laches.

Nothing said in this order, however, will come in the way of the petitioner in taking steps against the appointment of the private respondent, of course, in accordance with law.

(Mihir Kumar Jha, J)

Sujit/-

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