

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19072 of 2010

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Bhagwati Kumari W/O Bindhyachal Prasad R/O Vill.- Kosihan, P.S.-
Chandi, Distt.- Bhojpur

.... Petitioner/s

Versus

1. The State Of Bihar
2. District Teachers Employment Appellate Authority, Bhojpur, Arrah
3. District Magistrate, Bhojpur, Arrah
4. District Superintendent of Education, Bhojpur, Arrah
5. Block Education Extension Officer, Koilwar, Distt.- Arrah
6. Mukhiya, Gopalpur Panchayat, Block- Koilwar, Distt.- Arrah
7. Panchayat Secretary Gopalpur Panchayat, Block- Koilwar, Distt.- Arrah

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma
Mr. Natraj Verma

For the State Mr. Dr. Raj Kumar Singh A.C. to SC 8

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 09-01-2015 Heard Mr. Verma for the petitioner and A.C. to S.C. 8
for the State.

The petitioner raised a grievance before the District Teachers' Employment Appellate Authority, Bhojpur, at Arrah (for short the Authority') about his non selection as Panchayat Shiksha Mitra (for short 'the PSM'). The Authority after hearing the parties rejected the same on the ground stated therein. Aggrieved thereby the present writ application has been filed.

In the case of **Renu Kumari Pandey (2011 (4) PLJR 297)** which was considered and approved in the case of **Kalpana**

Rani (2014 (2) PLJR 665) it has been held that in the light of the rule-provision(s) any legitimate claim of any applicant with respect to engagement as PSM in the concerned Panchayat after coming into force of the Rule 2006 cannot be entertained and granted owing to the fact that all circulars/instructions/guidelines stood repealed and the status of the PSM by fiction of law changed as Panchayat Teacher. No post of PSM therefore exists now.

Mr. Verma learned counsel for the petitioner fairly accepts the aforesaid position of law.

In view of the principles of law enunciated in the aforesaid case(s), no relief can be granted to the petitioner.

The application is dismissed.

(Kishore Kumar Mandal, J)

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