

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1985 of 2014

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1. Arun Kumar S/O Sri Bachchunarayan Singh R/O Vill. Kadamtar, P.S. Silao, P.O. Bindidih In The District Of Nalanda

.... Petitioner/s

Versus

1. The State Of Bihar Through The Secretary Primary Education, Government Of Bihar, Patna
2. The Director, Primary Education, Govt. Of Bihar, Patna
3. The District Magistrate, Nawada
4. The District Program Officer, Nawada
5. The Mukhiya, Bhadokhara Gram Panchayat, Nawada
6. The Panchayat Secretary, Bhadokhara Gram Panchayat, Nawada
7. Mr. Pankaj Kumar S/O Sri Kamt Singh R/O Vill Bhadokhara In The District Of Nawada

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. SANJEEV KUMAR

For the Respondent/s : Mr. GP-13 NASIM YAHYA

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 06-02-2015

06.02.2015

Heard learned counsel for the parties.

Even if the argument of the petitioner's counsel is accepted that the finding of the District Teacher's Employment Appellate Authority, Nawada is erroneous and deliberate mischief was played by the Panchayat and Panchayat Secretary by taking stand that despite offer letter being given to the petitioner, he did not appear for joining on 29.12.2010, but end result is that no appointment on the post of Panchayat Teacher can now be made without the candidate having passed a Teachers Eligibility Test (TET), which is mandatory in

nature.

The Rule of the game has changed. The requirement has changed. In view of the same, no Interference with Annexure-5 is required, because petitioner's grievance remains academic. He cannot be appointed even if the Court interferes with the decision or the so called illegality committed by the Panchayat in not allowing him to join on the date that is 29.12.2010.

The Court, therefore, left with no option but to dismiss the writ application, may be with a heavy heart.

(Ajay Kumar Tripathi, J.)

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