

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3408 of 2015

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1. Minakshi. D/o Ram Krishan Jha. C/o Dr. Rajesh Kr. Jha, resident of Mohalla - Laxmipur, P.O. + P.S.- Laheriasarai, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Educations, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Education, Govt. of Bihar, Patna.
3. The District Teachers Appointment Appellate Tribunal, Laheriasarai, Darbhanga.
4. The District Magistrate, Darbhanga.
5. The Block Development Officer-cum-Secretary Niyojan Samiti, Hayaghat, Darbhanga.
6. The Block Education Extension Officer, Block-Hayaghat, Darbhanga.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Choudhary

For the Respondent/s : Mr. SC32-R.K.PRIYADARSHI

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 09-03-2015

09.03.2015

Heard learned counsel for the parties.

This Court can only interfere with the decision of the tribunal, provided there are serious legal infirmities, emerging from the same. Annexure-5 has been challenged by the petitioner, which is the order passed by the tribunal in Case No. 25 of 2014 on 27.01.2015. The finding given therein is that the petitioner did not have requisite qualification in "Hindi" to be appointed as a "Hindi Teacher". His specialization was "Sociology". Obviously any selection made contrary to the eligibility, the guidelines, meant for various posts,

if is in breach, the same was required to be rectified by the tribunal.

That is what has been done in the rational and reasoning provided on the application of the petitioner by the tribunal then it cannot be said to be bad or illegal.

The submission of the counsel that it was because of indiscretion committed by the appointing authority, which has costed him his job in other places too, is not the issue before this Court. The issue is whether the tribunal has erred in any manner by rejecting the claim of the petitioner, which it has not.

Therefore, writ application has no merit, it is dismissed.

(Ajay Kumar Tripathi, J.)

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