

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3872 of 2015

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1. Aftab Alam S/o Mojibur Rahman, resident of Mohalla- Shamsherganj, Islam Nagar, Ward No.-2, P.O.- B.M.P. 7 Katihar, Dist.- Katihar.
2. Md. Nafis , S/o Sheikh Akbar Hussain, resident of Village- Khanwa, P.O.- Kalsar, P.S.- Kalsar, Dist.- Katihar,
3. Gulab Chanra yadav S/o Prem Lal Yadav, resident of Village- Naya Tola Sapani, P.S.- Dand Khora, P.O. Bhagatagama, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar,
2. District Magistrate, Katihar,
3. District Teacher Employment Appellate Authority, Katihar Through its presiding Officer.
4. District Education Officer, Katihar,
5. District Programme Officer (Establishment), Katihar,
6. Block Development Officer, Hasanganj, Katihar,
7. Block Education Officer, Hasanganj, Katihar,
8. Block Education Extension Officer, Hasanganj, Dist.- Katihar,
9. Block Employment Committee through Pramukh, Hasanganj Block, Hasanganj, Katihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uma Kant Verma

For the Respondent/s : Mr. K.K.Singh, AC to SC 4

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 19-05-2015

Whatever be the submission of the counsel with regard to the participation in the counselling of these petitioners, two things come in way of any adjudication in their favour. The Court will not interfere with the finding of District Teachers Employment Appellate Authority because one, the petitioner approached the Tribunal after almost three years of exercise having been done. In between, many things came to be done including appointments and creation of right in favour of some other persons.

Another significant development is that in the year 2012, drastic amendments were made in the rules with relation to such appointment by the State of Bihar. The eligibility has been changed. These grounds are good enough ground for the Court to dismiss the writ application even if the petitioner has an arguable case with regard to the dispute on the counselling whether they participated or did not participate in terms of Annexure- 4.

Writ application is dismissed.

The presence of both the officials stands dispensed with.

(Ajay Kumar Tripathi, J)

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