

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2893 of 2015

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1. Ramesh Pandit son of Sri Ramautar Pandit, resident of Village/Mohalla- Baraipatti, P.O- Kilpur, P.S.- Nautan, District- Siwan.
 2. Kumari Sudha Yadav, daughter of Sri Basudeo Yadav, resident of Village/Mohalla- Gareia, P.O+P.S- Guthani, District- Siwan.
 3. Arvind Kumar Ram, son of Sri Chandrika Ram, resident of Village/Mohalla+P.O- Kilpur Baniatoli, P.S.- Nautan, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
2. Principal Secretary, Human Resources Department Govt. of Bihar, Patna.
3. Director, Primary Education, Bihar, Patna.
4. District Magistrate, Siwan.
5. District Education Officer, Siwan.
6. District Programme Officer, Siwan.
7. District Teacher Employment Appellate Authority, Siwan.
8. Block Education Officer, Nautan Block , District- Siwan.
9. Mukhiya, Gram Panchayat Raj Murarpatti, P.S. Nautan, District- Siwan.
10. Panchayat Secretary, Gram Panchayat Raj Murarpatti, P.S.- Nautan , District- Siwan.
11. Head Master, Upgraded Middle School, Baraipatti, within Murarpatti Gram Panchayat, Under Block, District- Siwan.
12. Head Master, New Primary School, Basudeva, within Murarpatti Gram Panchayat, under Nautan Block, District- Siwan.
13. Head Master, Primary School, Deven Chak, within Murarpatti Gram Panchayat, under Nautan Block, District- Siwan.

.... Respondent/s

with

Civil Writ Jurisdiction Case No.894 of 2015

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Nirmala Dubey wife of Sri Man Mohan Tiwari, resident of village/Mohalla - Guthni, P.O. + P.S. Guthni, District -Siwan

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Department Govt. of Bihar, Patna
2. Principal Secretary, Human Resources Department Govt. of Bihar, Patna
3. Director, Primary Education, Bihar, Patna
4. District Magistrate, Siwan
5. District Education officer, Siwan
6. District Program Officer, Siwan
7. District Teachers Appointment Appellate Authority, Siwan
8. Block Education officer, Nautan Block, District Siwan
9. Mukhiya, Gram Panchayat Raj Murarpatti, P.S. Nautan, District Siwan
10. Panchayat Secretary, Gram Panchayat Raj Murarpatti, P.S. Nautan,

District Siwan

11. The Head Master, Primary School Devan Chak, Within Murarpatti
Gram Panchayat, Under Nautan Block, District - Siwan

.... Respondent/s

Appearance :

(In CWJC No.2893 of 2015)

For the Petitioner/s : Mr. Rajendra Prasad, Sr. Advocate
Mr. Pramod Kumar

For the Respondent/s : Mr. S.Paswan, GP29

(In CWJC No.894 of 2015)

For the Petitioner/s : Mr. Rajendra Prasad, Sr. Advocate
Mr. Ritesh Kumar

For the Respondent/s : Mr. Anil Kumar, GP 23

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL ORDER

3 02-03-2015 Both the writ applications assail a common order passed by the District Teachers Employment Appellate Authority, Siwan, which is dated 8.12.2014 and annexed as Annexure-7. Any interference with the decision of the tribunal at this stage may be pre-judging and pre-empting as well as preventing the employment unit i.e. Panchayat from issuing a notice to these petitioners, getting their response before a decision on their appointment can be finally taken. The tribunal has not passed an order saying that they have no case but the tribunal has surely observed that they owe an explanation to the employment unit.

In view of the same, this Court is not willing to interfere with the order of the tribunal.

Let the Panchayat issue a notice to these petitioners, who

will have adequate opportunity to explain themselves and once a decision is taken by the Panchayat and if it is detrimental to the interest, surely the petitioners have legal remedy available to them. The stage for interference with Annexure-7 at this stage has not come.

Both the writ applications are dismissed.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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