

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.4641 of 2015**

=====

Manoj Kumar son of Late Sheonandan Ram, resident of village Mor P.S. Mokama  
Gram Panchayat Raj Mor Pashchimi (Western) Block -Mokama, District Patna

.... .... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Department Govt. of Bihar, Patna.
2. The District Programming Officer (D.P.O), Patna.
3. The Block Education Extension Officer (B.E.E.O), Mokama.
4. The Mukhiya Gram Panchayat Raj Mor Paschimi P.S. Mokama District Patna.
5. The Panchayat Secretary Gram Panchayat Raj Mor Pashchimi P.S. Mokama District Patna.

.... .... Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr. Parmod Kumar

For the Respondent/s: Mr. AAG9-S. RAZA AHMAD

=====

**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI**

**ORAL JUDGMENT**

**Date: 07-04-2015**

**A K Tripathi, J.**

There are may a reasons that petitioner cannot be granted any kind of relief by either interfering with Anneuxre-1, which is the order of the tribunal or the previous order of termination of the petitioner's contract as Shiksha Mitra, dated 10.5.2005. Against the removal or non-renewal of contract on the post of Shiksha Mitra, petitioner decided to approach the District Teachers Employment Appellate Authority, Patna, by filing Appeal Case No. 47/2014. The tribunal taking into consideration the time-frame since refusal of the renewal of the contract of the petitioner as Shiksha Mitra and the time when petitioner approached the tribunal, has rightly rejected the claim.

2. In addition to that, now it is well settled law that there is no post of Shiksha Mitra available. Nobody can be appointed on a non-existent post and only such teachers who were Panchayat Shiksha Mitra on 1.7.2006, by deeming

fiction became Panchayat Teachers.

3. In view of the same, writ application is required to be dismissed.

**(Ajay Kumar Tripathi, J)**

R.K.Pathak/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|