

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23028 of 2013

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1. Anand Kumar Singh Son Of Sri Bishwamohan Singh Resident Of
Village - Salimapur, P.S. Marhowrah, District - Saran

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Human Resource Development, Govt. Of Bihar, Patna
2. The Director, Primary Education, Department Of Education Govt. Of Bihar, Patna
3. The Collector Cum The District Magistrate, Saran
4. The District Education Officer, District - Saran
5. The District Programming Officer, District - Saran
6. The Block Development Officer, Marhowrah, District - Saran
7. The Block Education Officer, Marhowrah, District - Saran
8. The Mukhiya, Panchayat Raj Salimpur, Marhowrah, District - Saran
9. The Panchayat Secretary, Salimpur, Marhowrah, District - Saran
10. The District Teacher Employment Appellate Authority, District - Saran
11. Gagendra Prasad Singh Son Of Sri Harendra Prasad Singh Resident Of Village - Salimapur, P.O. Salimpur, P.S. Marhowrah, District - Saran

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vitesh Kumar Singh
For the Respondent/s : Mr. Sunil Kr. Mandal

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL ORDER

02. 08.01.2015

Heard learned counsel for the parties.

The Court under Article 226 of the Constitution of India has to only examine whether the order passed by the quasi judicial authority or quasi authority is in conformity with the law and the procedure. It is not required to turn itself into a super-tribunal or allow any person to treat it as a court of original jurisdiction and plead the case on fresh or new materials and new evidence of argument.

The Court has occasion to observe as above,

because the order under challenge in the present writ application is Annexure-8, which is an order, dated 29.05.2013, passed by the District Teachers Employment Appellate Tribunal, Saran at Chapra. Initially the Court had some reservation on the order, which has been passed by the said forum, taking into consideration the finding given therein, but on production of a copy of the so called complaint / appeal case filed by the petitioner before the tribunal, the Court now has no hesitation in recording that in absence of any proper prayer, pleading and relief, the tribunal had no option but to reject the claim of the petitioner.

Since no infirmity emerges from the order as such, this Court is not inclined to hear the case of the petitioner, independent of the order impugned, contained in Annexure-8 and adjudicate the matter.

Writ application is dismissed, as there is no infirmity with the decision of the tribunal in question.

(Ajay Kumar Tripathi, J.)

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