

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 8821 of 2014

Afrina Parveen, daughter of Md. Kamrul Hoda, wife of Ekhlak Ahmad Resident of Village - Rampur Kesho, Post Office - Phulkahan, P.S. - Shyampur Bhatahan, District - Sheohar, at present resides at Village - Premi Chapra, P.S. - Kanti, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
2. The Director, Primary Education, Govt. of Bihar, Patna.
3. The District Magistrate, East Champaran, Motihari.
4. The District Superintendent of Education, East Champaran, Motihari.
5. The District Education Officer, East Champaran, Motihari.
6. District Education Officer, East Champaran, Motihari.
7. The Block Education Extension Officer, Mehshi, District - East Champaran.
8. Abhishek Kumar, son of Rameshwar Prasad resident of Village - Manjhan Chapra, P.O. and P.S. - Mehshi, District - East Champaran.
9. Ashi Shrivastava, wife of Sanjay Kumar resident of Village - Ghariyarichak, P.O., P.S. - Mehshi, District - East Champaran.

.... Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Kameshwar Kumar
For the Respondent/s	:	Mr. Anil Kumar, AC to SC-8
For the Respondent No. 6	:	Mr. Hitesh Suman Mr. Satish Kumar Sinha
For the Respondent No. 8	:	Mr. Priyank Samdarshi Mr. Lakmesh Marbind

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 29-09-2016

Heard counsel for the petitioner, counsel for the private-respondents and the State.

Learned counsel for the petitioner has tried to make out a case that despite the present petitioner having highest marks, her

claim for appointment as a Panchayat Teacher has been ignored, both in the general category as well as under the general female reserved category and appointment has been made of Respondent Nos. 8 and 9.

Submission of the counsel for the petitioner is that the petitioner should have been considered against reserved female category, but she was placed in the roster of general category and her right was taken away by appointing Respondent No. 9 as well as Respondent No. 8 in the general category candidature.

An attractive kind of submission has been made on behalf of the petitioner on the basis of marks she had as to how she is meritorious from the rest. But the real reason it seems for non-appointment of the petitioner is that her qualification is a "Maulvi" and persons with "Maulvi" qualification can be appointed only against vacancy for Urdu Teacher and not as a general Panchayat Teacher. That was the reason why her claim seems to have been ignored and Abhishek Kumar, Respondent No. 8, having 66.88 per cent marks, came to be appointed.

Rest of the submission made on behalf of the petitioner is basically a desperate effort on her part to dislodge one of the two private-respondents, dependant of what submission appeals to the Court. The actual real position is not being placed in the right perspective before the Court.

No relief is required to be granted in favour of the

petitioner.

In view of the aforesaid facts and circumstances, writ application stands dismissed.

(Ajay Kumar Tripathi, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	30.09.2016
Transmission Date	