

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1716 of 2014

IN

Civil Writ Jurisdiction Case No. 19907 of 2012

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Kumari Manju W/o - Sri Rajeev Kumar Verma R/o Vill. Harishankarpur, Baghauni,
P.O. - Tajpur, Distt - Samastipur.

.... Appellant/s

Versus

1. The State of Bihar through the Secretary, Department of Education, Government of Bihar, Patna.
2. The District Education Officer, Samastipur.
3. The Block Development Officer, Tajpur, Distt. - Samastipur.
4. The Block Education Extension Officer, Tajpur, Distt. - Samastipur.
5. The Mukhiya, Village Panchayat Raj, Baghauni, P.O. - Tajpur, Distt. - Samastipur.
6. The Headmaster, Rajya Madhya Vidyalaya, Village - Udaypur, Block - Tajpur, P.O. - Tajpur, Distt. - Samastipur.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr Ram Shankar Das, Advocate

For the S t a t e : Mr Shashi Shekhar Pd Sinha, GA 13 with
Mr Alok Ranjan, AC to GA 13

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CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH

And

HON'BLE JUSTICE SMT NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR JUSTICE NAVANITI PRASAD SINGH)

Date: 29-01-2016

With consent of the parties, we have heard this matter
on merit for its ultimate disposal at this stage itself.

2 The appellant is the unsuccessful writ petitioner. It
is not in dispute that she was selected for contractual appointment on
the post of Shiksha Mitra in the year, 2005. This was for a period of
eleven months. She alleges that she was sent for training but was

never allowed to join the post. She alleges that she kept representing before different authorities with no result.

3 On 01.07.2006, the post of Shiksha Mitra was abolished and all the Shiksha Mitras, who were then working on the renewed contracts, were absorbed as Panchayat Teachers. Admittedly, on that day, neither the writ petitioner/appellant was working nor any litigation was pending in respect of her. It is subsequently in 2007 that she chose to file a writ petition and the Writ Court directed her to approach the District Teachers Appointment Appellate Tribunal (for brevity, *the Tribunal*). Upon such application, the Tribunal also rejected her claim which was not interfered by the Writ Court.

4 In the facts aforesaid, we find no error committed either by the appellant authority or by the Writ Court in dismissing the writ petition as she was, admittedly, not working on the day when the post was abolished. Her contract had not been renewed at all.

5 Thus, we find no merit in this appeal. It is dismissed accordingly.

(Navaniti Prasad Singh, J)

(Nilu Agrawal, J)

M.E.H./-

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