

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14454 of 2011

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Ramesh Kumar Paswan, son of Ram Jatan Paswan, resident of village-
Vikrampur, P.S. Cheriya Bariyarpur, District-Begusarai

.... Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Human Resources Development Department,
Govt. of Bihar, Vikash Bhawan, Patna
3. The Director, Secondary Education, Human Resources Development
Department, Govt. of Bihar, Vikash Bhawan, Patna
4. The District Magistrate, Begusarai, District- Begusarai
5. The Selection Committee of Zila Parisad Madhyamik Shikshak
Niyojan Ekai Begusarai (Madhyamik Teacher Selection Unit Begusarai),
District- Begusarai through its Secretary
6. The District Education Officer, Begusarai, District-Begusarai
7. Zila Parisad, Begusarai, through the D.D.C. the Executive Officer,
Begusarai

.... Respondents

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Appearance :

For the Petitioner/s : Mr. SURESH KUMAR ISHWAR

For the Respondent/s : Mr. AC to SC-25

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL JUDGMENT

Date: 27-04-2016

Heard Sri S.K.Ishwar, learned counsel for the petitioner,
learned AC to SC-25 as well as Sri Nikesh Kumar, learned counsel,
who has appeared on behalf of Respondent no.7/ Zila Parisad,
Begusarai.

Despite granting several accommodations, till date no
counter affidavit has been filed in the present writ petition.

The petitioner, invoking writ jurisdiction under Article 226
of the Constitution of India, has approached this Court only with a

prayer to direct the Respondents to conduct second counselling of the petitioner in compliance with order dated 27.03.2010 passed by the District Teacher Selection Appellate Tribunal (hereinafter referred to the “Appellate Tribunal”) in Case no.12 of 2010 (Annexure-1 to the writ petition).

Learned counsel for the petitioner submits that the order of the Appellate Tribunal dated 27.03.2010 has already attained its finality in view of the fact that against the said order, neither any writ petition was filed nor it has been unsettled.

The Court is of the opinion that if an order has been passed by duly constituted Appellate Authority, unless and until it is unsettled by the superior court, the said order is required to be implemented.

Accordingly, without going into merit of the case, the writ petition is allowed with direction to all concerned to implement the order dated 27.03.2010 passed by the Appellate Tribunal in Case no.12 of 2010 within a period of two months from the date of receipt/production of a copy of this order.

NKS/-

(Rakesh Kumar, J)

AFR/NAFR	
CAV DATE	
Uploading Date	30-04-2016
Transmission Date	