

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.21334 of 2014

- =====
1. Lal Babu Kumar, aged about 26 years, S/o Shri Shiv Kumar Prasad, Resident of village- Siswa Tola Amwa, P.O. Siswa, P.S. + Block- Banjaria, District- East Champaran, Motihari.
 2. Sima Kumari, W/o Dharmendra Kumar, Resident of Village + P.O. Mehta Tola, P.S. + Block- Harsidhi, Distt- East Champaran, Motihari.
 3. Pankaj Kumar, S/o Kapildeo Ram, Resident of Village- Rampurwa, P.O.- Rampurwa Bazar, P.S. Gobind Ganj, Block- Areraj, Distt- East Champaran.
 4. Ratnesh Kumar, S/o Late Kishori Sah, Resident of Village + P.O. Gayghat, P.S. + Block - Harsidhi, Distt- East Champaran, Motihari.
 5. Kausar Praveen, W/o Md. Amanullah, Resident of Village + P.O. Chailahatal, P.S. + Block - Banjaria, Distt- East Champaran, Motihari.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The District Teachers' Employment Appellate Authority, East Champaran, Motihari.
3. The District Programme Officer (Establishment), East Champaran, Motihari.
4. The Panchayat Secretary, Gram Panchayat Raj Machhargawa Block, Kotwa, Distt- East Champaran, Motihari.
5. The Mukhiya, Gram Panchayat Raj Machhargawa, Block- Kotwa, Distt- East Champaran, Motihari.
6. The Block Education Officer, Block- Kotwa, Distt- East Champaran, Motihari.
7. Rambha Kumari, D/o Ram Lakhan Ray, W/o Hari Kishore Prasad, Resident of Village- Machhargawan, Block- Kotwa, Distt- East Champaran, Motihari.
8. Guria Kumari, D/o Ram Lagan Ray, Resident of Village- Sobaiya, Block- Kotwa, Distt- East Champaran, Motihari.
9. Manoj Kumar Das, S/o Ramashish Das, Resident of Village- Belghati, Block- Turkaulia, Distt- East Champaran, Motihari.
10. Anil Kumar Das, S/o Chandi Das, Resident of Village- Beldari Toloa, Block- Turkaulia, Distt- East Champaran, Motihari.
11. Lakshman Prasad, S/o Adalat Sah, Resident of Village- Mohbbatchhapra, Block- Turkaulia, Distt- East Champaran, Motihari.
12. Rubi Khanam, D/o Sabir Hussain Khan, Resident of Village- Dariyapur, Block- Sangrampur, Distt- East Champaran, Motihari.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr Rajendra Prasad Singh, Sr. Advocate
Mr. Rajeev Kumar Singh
For the State : Mr. SC33- Ritesh Kumar
For the Pvt. Respondents : Mr Sanjeev Kumar Mishra

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 09-02-2016

Heard learned senior counsel for the petitioners and

learned counsel for the private respondents as well as counsel for the State.

The reason assigned by the District Teachers Employment Appellate Authority against the petition dated 1.9.2014 may be cogent or may not be cogent but one thing on which this Court is surely satisfied is that District Teachers Employment Appellate Authority is only a quasi judicial authority and is neither a civil court nor a criminal court where such petitions or prayers could be really entertained. To some extent, the Court seems to be in agreement with the counsel for the private respondents that the Tribunal should decide the matter on the merits and not get distracted by such affidavits and petitions to delay the adjudication as such.

There is nothing to interfere with Annexure- 1, dated 21.7.2014. The writ application is dismissed. However, a direction is issued upon District Teachers Employment Appellate Authority that the Authority will proceed on the merit of the matter and take a decision since enough time has any way been lost since the order of the learned Single Judge passed in CWJC No.10844 of 2012 on 19.2.2014. The decision must be rendered on the merits within a period of three months. All parties to the proceeding must cooperate in adjudication of the issue.

(Ajay Kumar Tripathi, J)

sk

U			
---	--	--	--