

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6301 of 2014

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1. Suresh Kumar Son Of Sri Ram Choudhary Resident Of Village : - Hatadh
Rupauli, Police Station - Bhairab Asthan, District - Madhubani

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Member District Appellate Authority, Appointment of Panchayat Teachers,
Darbhanga
3. The District Programme Officer, Darbhanga
4. The Block Development Officer, Ghanshyampur, Police Station -
Ghanshyampur, District - Darbhanga
5. The Block Education As Officer, Ghanshyampur, Police Station -
Ghanshyampur, District - Darbhanga
6. The Mukhiya, Gram Panchayat Raj Tumaul, Police Station - Ghanshyampur,
District - Darbhanga
7. The Panchayat Secretary, Gram Panchayat Raj Tumaul, Police Station -
Ghanshyampur, District - Darbhanga
8. Sanjay Kumar Thakur Son Of Laxman Thakur Resident Of Village - Gorhail,
Police Station - Ghanshyampur, District - Darbhanga

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhas Ranjan

For the Respondent/s : Mr. GP-21 Sanjay Pandey

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 17-03-2016

The matter related to selection and appointment on the post of a Panchayat Teacher for the vacancy created in the year 2006. Grievance of the petitioner is that despite having more marks than the selected candidate, Rohit Mandal, he has not been appointed. Now a vacancy has occurred because of death of Rohit Mandal. The Tribunal has arbitrarily rejected the claim of the petitioner for consideration for such appointment.

The Court will not interfere with the order even

otherwise for the reason that such appointments cannot be made now in relation to vacancy or selection process completed years ago, almost a decade. Further, rule for such selection and eligibility for such selection has undergone a change. Every person has to fulfill the requirements of passing Teachers Eligibility Test, which is mandatory in nature. Since there is nothing to indicate that the petitioner has passed the said examination, therefore, the Court will not direct employment of any person on the post of a Teacher, who does not have the requisite qualification as the rules stand today.

Writ is dismissed.

(Ajay Kumar Tripathi, J)

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