

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3924 of 2013

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Baijnath Kumar Son Of Ram Swarup Singh Resident Of Village Faridpura,
Via Naubatpur, P.O. Sahar Rampur, P.S. Naubatpur, District- Patna

.... Petitioner/s

Versus

1. The State Of Bihar Through The Commissioner-Cum-Secretary
Department Of Education, Bihar, Patna
2. The Director, Primary Education, Bihar, Patna
3. The District Magistrate, Patna
4. The District Superintendent Of Education @ District Planning Officer,
Patna
5. The Block Development Officer, Naubatpur Block, Patna
6. The Block Education Extension Officer, Naubatpur Block, District-
Patna
7. The District Teacher Employment Appellate Authority, Patna
8. The Mukhiya, Dariyapur Gram Panchayat, Naubatpur Block, Distt.
Patna
9. The Panchayat Secretary, Dariyapur Gram Panchayat, Naubatpur Block,
District- Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha

For the Respondent/s : Mr. Rajesh Singh, G.P.16

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 08-01-2016 Heard learned counsel for the petitioner and the State.

No counter affidavit has been filed.

Counsel for the State submits that even after due
communication, no instruction has been received.

This matter relates to appointment of Panchayat
Teacher. The petitioner had applied for the post of Panchayat
Teacher but was not selected. He approached this Court in CWJC
No. 7548 of 2011 and this Court has disposed of the case vide

order dated 01.02.2012 giving liberty to approach the Tribunal. In terms of the direction, the petitioner approached the Tribunal and the Tribunal directed to appoint the petitioner as Panchayat Teacher on unreserved post on the Panchayat Unit.

Counsel for the petitioner submits that as per his knowledge this order has attained finality as the order has not been challenged anywhere and the post is still vacant.

After enforcement of Panchayat Raj Act, for the purpose of adjudicating the dispute of the Panchayat Teachers, the Government of Bihar has constituted District Teachers Appellate Tribunal to look into the grievances with respect to the appointment of Panchayat Teacher. When the body has been constituted, it has to adjudicate the dispute and the executive body is required to implement the order passed by the Authority. Though there is liberty if any person aggrieved can challenge the order passed by the Tribunal but in the present case no such step has been taken by any person. In such view of the matter this Court feels that inaction on the part of the executive depriving the petitioner from the fruit of the judgment is completely laches on the part of the respondents.

In such view of the matter, the Collector, Patna, is directed to examine the matter and take appropriate steps with

regard to enforcement of the order passed by the Tribunal within three months from the date of receipt/production of a copy of this order.

With the aforesaid observation and direction, this writ petition is disposed of.

(Shivaji Pandey, J)

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