

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7446 of 2014

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Premlal Prasad Singh S/o Ramatar Prasad Singh resident of village-
Morkahi, P.S- Alauli, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. The Joint Secretary, Human Resource Development Department, Government of Bihar, Patna.
3. The District Appellate Authority, Khagaria, through Presiding Officer
4. The Collector- cum- District Magistrate, Khagaria.
5. The District Education Officer, Khagaria.
6. The Block Education Officer, Alauli Block, Khagaria.
7. The Block Development Officer, Alauli Block, Khagaria
8. The Mukhia, Gram Panchayat Raj Amba Icharua, P.S- Alauli, District- Khagaria.
9. The Secretary, Gram Panchayat Raj Amba Icharua, P.S- Alauli, District- Khagaria.
10. The Headmaster, Middle School Kamathan, Block Alauli, District- Khagaria.
11. Sarvan Kumar Ram S/o Ram Prakash Ram Panchayat Teacher, Upgraded Middle School Kamathan, Amba- Icharua, Block- Alauli, District- Khagaria.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Tarun Kumar Sinha

For the Respondent/s : Mr. Raj Nandan Prasad, SC-9

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 20-10-2016 Upon hearing both sides, in my view, the present application is completely misplaced if not misconceived.

The petitioner in a representative capacity filed the complaint before the District Appellate Authority, Khagaria, questioning the retention/engagement of the respondents as Panchayat Siksha Mitras (PSMs) and subsequently his absorption

as Panchayat Teacher. The Tribunal found that an issue in this regard was earlier raised and considered by the Authority in Appeal No. 22-01/2010 and settled the dispute against which no appeal was preferred by the Secretary, Gram Panchayat or any other Authority. That apart, the Authority/Tribunal found that the petitioner had got no *locus standi* to file the appeal/application before the Tribunal. The Tribunal also found that the application/appeal filed by the petitioner was barred by limitation. The petitioner aggrieved by the said order passed by the Tribunal has filed the writ application. Nothing has been shown to the Court that the petitioner had the locus in the matter to file such an application in a representative capacity. That apart, a Division Bench of this Court has already held that no inquiry with regard to the retention/engagement as PSMs can now be made after the enforcement of the Rules in 2006.

This Court does not find any merit in this application.
Dismissed.

(Kishore Kumar Mandal, J)

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