

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10759 of 2015

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1. Geeta Kumari, Wife of Jay Prakash Ram, Resident of Village- Mathiya Hardo,
P.S- Kuchaikot, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The District Magistrate, Gopalganj.
4. The District Education Officer, Gopalganj.
5. The District Programme Officer, Establishment, Gopalganj.
6. The Block Teacher Selection Committee led by the Block Development Officer, Kuchaikote, Gopalganj.
7. The Block Education Officer, Kuchaikote, District- Gopalganj.
8. The Presiding Officer, Teacher Appellate Authority, Gopalganj.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Srivastava

For the Respondent/s : Mr. Vikas Kumar, AC to AG

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 16-02-2016

Petitioner was not appointed as a Prakhanda Teacher despite her position indicated at serial 10 in the merit list contained in Annexure-3. She moved the District Teachers Appellate Authority, Gopalganj for a direction. The Member, Teachers Appellate Authority, Gopalganj has rejected the claim of the petitioner and rightly so on the ground that the petitioner is holder of a Up-shastri degree, which may be equivalent to Intermediate but such degree can only beget her appointment as a Sanskrit Teacher, not as a general Teacher.

The rational and reasoning for rejection of claim of the

petitioner is absolutely correct in law since there is no pleading or evidence available on record to show that the petitioner was an applicant for an opening as a Sanskriti Teacher. In fact, the finding is otherwise that she was an applicant for a general Teacher. Her non-selection and appointment despite her merit position cannot be said to be arbitrary, erroneous or violative of any rule. The impugned order contained in Annexure-4 dated 7.10.2014, therefore, is not required to be interfered with.

Writ is dismissed.

(Ajay Kumar Tripathi, J)

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