

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.126 of 2014
Arising out of
Civil Writ Jurisdiction Case No. 18544 of 2009**

=====

Kumari Rekha, Wife Of Ranjit Kumar, Daughter Of Shri Anuplal Paswan Resident
Of Mohalla- Commissionery Bazar, P.S.- Sheikhpura, District- Sheikhpura

.... Appellant

Versus

1. The State of Bihar Through The Principal Secretary, Human Resources
Development Department, Government Of Bihar, Patna
2. The Director, Primary Education, Government Of Bihar, Patna
3. The District Magistrate, Sheikhpura
4. The Deputy Development Commissioner, Sheikhpura
5. The Block Education Extension Officer, Sheikhpura
6. The Block Development Officer, Sheikhpura
7. The District Teachers Appointment Appellate Authority Tribunal, Sheikhpura
8. Smt. Madhulata Kumari, Wife Of Shree Ram Balak Paswan, Resident Of
Village- Faridpur, P.O.- Audhe, P.S. And District- Sheikhpura

.... Respondents

=====

Appearance :

For the Appellant/s : Mr. Satish Kumar, Advocate

For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 08-04-2016

The order dated 20th September, 2013 is the subject matter
of challenge in the present Letters Patent Appeal, wherein cancellation
of the appointment of the appellant vide order dated 12th January,
2008 by the District Teachers Appellate Authority, Sheikhpura, was
not interfered with by the learned Single Bench.

The private respondent has obtained 60.44% marks,
whereas the appellant got 57.88% marks. Thus, the appellate authority

found that the appellant was wrongly appointed and the candidate higher in marks was ignored. That is the order passed by the learned Single Judge as well.

We do not find any error in the finding recorded by the learned Single Judge that the candidate higher in marks than the present appellant could not be ignored.

This appeal is accordingly dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

mrl

U			
---	--	--	--