

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.66 of 2016
Arising out of
Civil Writ Jurisdiction Case No. 23382 of 2013**

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1. Vijay Kumar Ram Son of Mishri Ram Resident of Village Parmanpur, Police Station - Dawath, District - Rohtas

.... Appellant/s

Versus

1. The Block Development Officer, Dawath, P.S. - Dawath, District - Rohtas (Sasaram)
2. The State of Bihar
3. The Secretary, Department Of Human Resources, New Secretariat, Patna
4. The Member District Teacher Employment Appellate Authority Tribunal, Rohtas (Sasaram)
5. The District Magistrate, Rohtas (Sasaram)
6. The District Education Officer, Rohtas, District Rohtas (Sasaram) null null
7. The District Superintendent of Education, Rohtas (Sasaram)
8. The Block Education Officer, Dawath, P.S. - Dawath, District - Rohtas
9. The Block Education Extension Officer, Dawath, P.S. - Dawath, District - Rohtas (Sasaram)
10. The Panchayat Secretary (Panchayat Sachiv), Gram Panchayat Gidha, Block - Dawath, P.S. - Dawath, District - Rohtas (Sasaram)
11. The Mukhiya, Gram Panchayat Gidha, Block - Dawath, P.S. - Dawath, District - Rohtas (Sasaram)
12. The Headmaster Primary School Gidha, Block - Dawath, P.S. - Dawath, District - Rohtas (Sasaram)
13. Vijay Kumar Ram S/O Mishri Ram R/O Village - Bahuara, Police Station - Dawath, District - Rohtas (Sasaram)

.... Respondents

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Appearance :

For the Appellant : Mr. Yogesh Chandra Verma, Sr. Advocate
Mr. Umeshanand Pandit, Advocate

For the Respondent s : Mr. Md. Firoz Ahmad, AC to GP 14

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 23-11-2016

Heard learned counsel for the parties.



The challenge in the present appeal is to an order dated 28th of August, 2015 passed by learned Single Bench of this Court in C.W.J.C.No. 23382 of 2013 wherein it was found that the appellant was not eligible to apply for the post of Panchayat teacher as his result was declared after the last date of submission of the applications.

Learned Senior Counsel for the appellant raised two folds, firstly, that the Hon'ble Supreme Court had passed an order for declaration of result on 21st of November, 2008 and therefore, the said date should be treated as the date of declaration of result and thus, the appellant would be eligible for consideration for Panchayat teacher. Secondly, that in view of the date printed on the marks-sheet, the appellant would be eligible to apply.

We do not find any merit in the arguments of learned senior counsel for the appellant. The result was published on 30th December, 2008 in pursuance of the direction of the Hon'ble Supreme Court. The date of order of the Hon'ble Supreme Court can never be treated as a date of declaration of result. Similarly, the marks-sheet given to the appellant shows the date as 13th April, 2015, but the marks sheet cannot relate back to the date prior to official publication of result which is 30th December, 2008.

We do not find any error in the order passed by the learned Single Judge, which may warrant any interference in the present intra



court appeal. The Letters Patent Appeal is, thus, dismissed.

(Hemant Gupta, ACJ)

(Vikash Jain, J)

A.I./-

AFR/NAFR	NAFR
CAV DATE	NA
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