

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1145 of 2013

IN

Civil Writ Jurisdiction Case No. 20687 of 2011

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Geeta Verma, W/O Sri Rajesh Kumar, Resident of Village - Singhiyahi, P.O. Hardia, P.S. Pupari, District - Sitamarhi

.... Appellant/s

Versus

1. The State of Bihar
2. The District Superintendent of Education, Sitamarhi
3. The Member, District Teachers' Employment Appellate Authority, Sitamarhi
4. The Mukhiya, Gram Panchayat Raj, Nanpur South, District - Sitamarhi
5. The Panchayat Secretary, Gram Panchayat Raj, Nanpur South, District - Sitamarhi
6. Seema Kumari, W/O Sri Ravi Shankar Mishra, Resident of Village P.O. & P.S. Nanpur, District - Sitamarhi

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dharendra Kr. Jha, Advocate

For the Respondent/s : Mr. Yogendra Kumar Singh, Advocate

Ms. Nitu Kumari, Advocate

Mr. Ratneshwar Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

Date: 23-09-2016

Delay in filing the memo of appeal is condoned.

I.A. No. 6558 of 2013 is, accordingly, disposed of.

Heard learned counsel for the appellant and learned counsel for the private respondent.

The present intra-court appeal arises from order dated 12.04.2012, passed by learned Single Judge in C.W.J.C. No.

20687 of 2011 (Geeta Verma Vs. The State of Bihar and others). The writ petitioner- appellant was appointed as Panchayat Teacher. Matter was challenged before the District Teachers Employment Appellate Authority, Sitamarhi (hereinafter referred to as the Authority) which noticed, inter alia, that a large number of more meritorious candidates allegedly did not turn up for counselling and, accordingly, the writ petitioner-appellant was selected. The Authority noted that the claim was that notices were issued through “under certificate of posting” which, in view of the finding of the Authority, did not inspire confidence. Thus, the Authority was of the view that only to accommodate the writ petitioner-appellant, all this was done, otherwise there was no reason why none of the more meritorious candidates would turn up to seek appointment having applied for it. This found favour by the learned Single Judge as well.

We see no reason to take a different view of the matter. This appeal is, accordingly, dismissed.

(Navaniti Prasad Singh, J.)

(Nilu Agrawal, J.)

Arjun/Rajesh

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