

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14811 of 2013

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Dilip Kumar Razak S/o Late Nemolal Razak, resident of village-
Bhagwatpur, Block+ P.S- Sarairanjan, District- Samastipur, at present
Mukhiya, Gram Panchayat Raj Bhagwatpur, Block Sarairanjan, District-
Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education
Department, Government of Bihar, Patna.
2. The Director, Primary Education Department, Govt. of Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The District Education Officer, Samastipur.
5. The District Programme Officer (Establishment), Samastipur.
6. The District Panchayati Raj Officer, Samastipur.
7. The Sub- Divisional Officer, Samastipur
8. The Block Development Officer, Sarairanjan, Samastipur.
9. The Block Education Officer, Sarairanjan, Samastipur.
10. The Panchayat Secretary, Gram Panchayat Raj Bhagwatpur, Block
Sarairanjan, Distt- Samastipur.
11. Smt. Madhumala Kumari W/o Sri Vijay Kumar, resident of village-
Baijitpur, Police Station- Sarairanjan, District- Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar Jha

For the Respondent/s : M/s A.N. Jha and Chandra Mauli Chourasia

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 17-11-2016 Heard learned counsel for the petitioner, State and the
private respondent.

In this case, the petitioner, who was the then
Mukhiya, has challenged the appointment of Respondent no. 11,
claiming that she does not hold the requisite qualification for
being appointed as Panchayat Teacher.

The counsel for the petitioner submits that he is no

holder of the brief of the petitioner, as he has already taken away the file, but in the order passed in C.W.J.C. No. 15756 of 2008 and its analogues cases, this Court has considered the qualification of Up- Shastri as well as Uttar Madhyama obtained from Kameshwar Singh Darbhanga Sanskrit Vishwavidyalaya, Darbhanga as well as Rastriya Sanskrit Sansthan, New Delhi, has held that these are the valid and recognised institutions and the persons, who are holding the degree from that institutions, are eligible for the post of Panchayat Teacher.

In such view of the matter, this petition does not survive and so much so that by efflux of time, there would be a change of guard, earlier Mukhiya might not have been elected, he cannot have locus standi but has challenged the appointment of the respondent, who has been appointed as Panchayat Teacher.

As has been claimed by Respondent no. 11, she is working and discharging the duty. If that be so, the authority will examine the matter and take necessary decision and action in accordance with law with respect to payment of her salary if any.

Accordingly, this petition is disposed of.

(Shivaji Pandey, J)

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