

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1671 of 2014

IN

Civil Writ Jurisdiction Case No. 3588 of 2013

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Md. Safatullah S/o Md. Tajeruddin Resident of village - Rahmatnagar,
Kumheri, Police Station Kadwa, District - Katihar

.... Appellant

Versus

1. The State of Bihar
2. The Principal Secretary, Human Resources Development
Department, Government of Bihar, Patna
3. The Director, Primary Education, Human Resources Development
Department Government of Bihar, Patna
4. The Member District Teacher Appointment Appellate Tribunal,
Purnea
5. The District Education Officer, Purnea
6. The Block Development officer, Baisi, District Purnea
7. The Block Education Extension Officer, Baisi, Distt. - Purnea
8. The Mukhiya Gram Panchayat Raj Copra, Police Station and Block
Baisi, District - Purnea
9. The Panchayat Secretary, Gram Panchayat Raj Chopra, Police
Station and Block Baisi, District - Purnea
10. Md. Moquimuddin S/o Md. Jamal R/o village - Lahtora, P.O.
Bagnagar, P.S. Araria, District - Araria

.... Respondents

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Appearance :

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

For the Respondent/s : Mr. Dinu Kumar, Advocate

Mr. Rajesh Kr. Singh, Advocate

For the State : A.A.G.2

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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: 04-01-2016

The delay in filing the appeal is condoned.

Heard learned counsel for the parties. Private

respondent has appeared and with their consent, heard this

appeal on merits.

The learned Single Judge did not interfere in the writ proceedings on the ground that respondent no. 10 therein, also respondent no. 10 here, has much higher marks and much more merit for selection than the writ petitioner/appellant. That being so, we concur with the said finding and refuse to interfere in the appeal.

This appeal is, accordingly, dismissed.

If any post is still vacant and writ petitioner/appellant otherwise qualifies for selection on that vacant post, the Panchayat may, in accordance with law, consider his appointment.

(Navaniti Prasad Singh, J.)

(Nilu Agrawal, J.)

Rajeev/N.A.F.R.

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