

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.461 of 2014
Arising out of
Civil Writ Jurisdiction Case No. 4511 of 2011**

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Siyaram Kumar, Son of Sri Ramavatar Rai, Resident of Village- Paharpur, P.S-
Balia, District- Begusarai.

.... Appellant/s

Versus

1. The State of Bihar
2. The District Magistrate, Begusarai.
3. The Member of Appellate Tribunal District Teacher Selection, District Council
Campus, Begusarai.
4. The District Superintendent of Education, Begusarai.
5. The Sub- Divisional Officer, Begusarai.
6. The Block Development Officer, Matihani, Begusarai.
7. The Block Education Extension Officer, Begusarai.
8. The Mukhiya, Safapur Gram Panchayat, Matihani, Begusarai.
9. The Panchayat Secretary, Safapur Gram Panchayat, Matihani, Begusarai.
10. Lalan Kumar Himanshu Son Of Sri Ram Charitra Prasad Yadav Resident Of
Village- Nayatola, Hanspur, P.S- Nayagaon, District- Begusarai.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Prashant Sinha
For the Respondent/s : Mr. Satya Vrat, AC to GP 10
Mr. J K Roy

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**CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA
and
HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)
Date: 16-08-2016

The challenge in the present Letters Patent Appeal is to an
order dated 11th January, 2012 passed by the learned Single Judge of
this Court in CWJC No. 4511 of 2011. whereby challenge to the order
passed by the District Teachers Employment Appellate Authority,
Begusarai, dated 27th December, 2010 remained unsuccessful.

The appellant was appointed as Panchyat Teacher though
the candidates with higher marks were ignored for appointment. The

learned appellate authority found that removal of the appellant from the post of Panchayat Teacher was neither illegal nor invalid.

The sole argument raised by learned counsel for the appellant is that a candidate who is said to have obtained higher marks did not appear in the counselling. A finding has been returned that notice for counselling was sent through U.P.C. from a post office, which is eight kilometers away from the village concerned of such candidate though there is post office available in the village. Thus, the plea that the candidate did not appear in the counselling was found to be unjustified.

For the reasons recorded by the learned Single Bench whereby the order recorded by the appellate authority has been set aside, we do not find any ground to interfere in the present letters patent appeal.

The appeal is accordingly dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

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AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	18.08.2016
Transmission Date	N.A.