

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11593 of 2011

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Meena Kumari W/O Balmiki Prasad Niralal D/O Ram Khelawan Yadav,
R/O Pharpar, P.S. - Ariyari, Distt. - Sheikhpura

.... Petitioner

Versus

1. The State of Bihar
2. The Director of Education Department, Patna
3. District Magistrate, Sheikhpura
4. The Deputy Development Officer, Sheikhpura (D.D.C.)
5. The District Teacher Employment Appellate Authority, Sheikhpura
6. The District Education Office, Sheikhpura (D.E.O.)
7. District Superintendent of Education, Sheikhpura (D.S.E.)
8. The Block Development Officer, At Ariyari, P.S. - Sheikhpura, Distt. - Sheikhpura (B.D.O.)
9. The Block Education Extension Officer, Ariyari, P.S. Ariyari, Distrcit - Sheikhpura
10. Panchayat Secretary, Hajratpur Madro, Block - Ariyari, P.S. - Ariyari, Distt. - Sheikhpura
11. Mukhiya, Hajratpur, Madro Panchayat, Block - Ariyari, P.S. - Ariyari, Distt. - Sheikhpura
12. Anmol Singh W/O Birendra Singh At Presnt Posted As A Teahcer In Primary Shcool, Maula Nagar, P.O. - Karki, P.S. - Ariyari, Distt. - Sheikhpura (Respondent no. 12 is being deleted as party respondent in view of Court's order dated 3.2.2012)
13. Priti Kumai W/O Ravi Shankar Kumar at present posted as Teacher in Primary School, Ranka, P.O. - Karki, P.S. - Ariyari, Distt. - Sheikhpura
14. Baby Kumari W/O Ranjit Kuamr, at present posted as a Teacher in Primary School, Ranka, P.O. - Karki, P.S. - Ariyari, Distt. - Sheikhpura

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Syed. Rizwanul Haque
For the Respondent/s : AC to GP-23
Mr. Arun Kumar
Mr. Ram Vinay Pd. Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

11. 05-07-2016 Heard Mr. Syed Rizwanul Haque, learned counsel for

the petitioner, learned A.C. to Govt. Pleader – 23, Sri Arun

Kumar, learned counsel who has appeared on behalf of respondent

no. 10 & 11/Panchayat Secretary & Mukhiya as well as Sri Ram Vinay Prasad Singh, learned counsel for respondent no. 13.

In the present petition, filed under Article 226 of the Constitution of India, the petitioner has made a prayer for directing the respondents to appoint her, as Primary Teacher in Primary School at Hajratpur Madro Block.

It has been pleaded by the petitioner that the candidates, having lesser marks than the petitioner, were selected ignoring the case of the petitioner. It has been claimed that petitioner was not at all allowed to participate in the counseling and candidates, having lesser marks, have been accommodated.

In this case, a counter affidavit has been filed on behalf of respondent no. 10 & 11 and in paragraph – 7, a specific stand has been taken that pursuant to the advertisement, the petitioner had not enclosed her particular certificates and as such, petitioner was not considered for counseling. The petitioner had not submitted experience certificate and as such, she was debarred from adding 20 marks. There is specific case that excluding the marks of experience, none of the candidates, having lesser marks than the petitioner, has been appointed.

The counter affidavit filed on behalf of respondent no. 10 & 11 has not been disputed by filing any rejoinder.

In view of the fact that none of the candidates, having lesser marks than the petitioner, were allowed to participate in the counseling and since petitioner had not submitted experience certificate, I do not find any ground to pass any favourable order.

The petition stands dismissed.

(Rakesh Kumar, J.)

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