

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10037 of 2013

=====

Umesh Kumar S/o Shaligram Mandal, resident of village - Jogwani, P.O. Bhawanipur, P.S. Gamharia, Distt. - Madhepura at present posted as Assistant Teacher in Shyam Middle School Jogwani, P.S. Gamharia, Distt. – Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources Govt. of Bihar, Patna
2. The Director Primary Education Govt. of Bihar, Patna
3. The Director, Research and Training, Govt. of Bihar, Patna
4. The Regional Deputy Education Director, Koshi Division Saharsa
5. The Principal, District Education and Training Institute Madhepura
6. The Secretary, District Education and Training Institute - Cum - District Programme Officer, Primary Education, Madhepura
7. The District Programme Officer - cum - Secretary Promotion Committee, Madhepura
8. The Block Education Officer - cum - Drawing and Disbursing Officer, Gamharia, Madhepura
9. The Headmaster, Shiyaram Middle School Jogwani, P.S. Gamharia, Distt. – Madhepura
10. Ashok Kumar Mehta S/o Late Ghuran Mehta resident of village - Tok Sihpur, P.S. Gamharia, Distt. - Madhepura at present posted as Assistant Teacher in Deo Nr. Mandal Middle School Toka Gamharia, Distt. – Madhepura.

.... Respondent/s

Appearance :

For the Petitioner/s :

For the Respondent/s : Mr. Ravindra Nath Debey, AAG-12

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 22-07-2016

Yesterday no one was present on behalf of the petitioner.

Today also no one is present to press this application.

In the present case, the petitioner has challenged the letter dated 31st March 2013, vide Memo. No. 86 issued under the seal and signature of Principal, District Education and Training Institute, Madhepura whereby and whereunder respondent no. 10 is claimed by the petitioner is less qualified than the petitioner has been appointed on the post of Block

Resources Centre Co-ordinator.

It has been stated in the petition that the petitioner was appointed as Block Resources Centre Co-ordinator in the year 2008 in the subject of Mathematics and Science, again applied for the same post on 12.03.2012, but Respondent no. 10 has been selected who is less qualified. The petitioner has claimed that he is M.Sc. physical trained and also one year service in training whereas Respondent no. 10 is B.Sc. trained.

The claim of the petitioner is, he is better candidate than Respondent no. 10.

It appears from the writ application that the petitioner has filed representation on 31.3.2013 and also has given legal notice on 12.04.2013 to the Principal, District Education and Training Institute, Madhepura has not been disposed of.

If the period of the post of Block Resources Centre Coordinator is not already over, the petitioner will have liberty, for convenience, to file a fresh representation bringing all facts before the competent Authority, who will examine the case of the petitioner and pass a reasoned order in accordance with law.

With the above observation/direction, this petition is disposed of.

(Shivaji Pandey, J)

Mahesh/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	25.07.16
Transmission Date	