IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5101 of 2014

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Md. Nasim Ahmad, S/O Md. Mohsin Ali, Ex- Mukhiya Village Sakraili, P.S- Semapur, District- Katihar.

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.... Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Katihar.
3. The D.D.C., Katihar.
4. The District Education Superintendent, Katihar.
5. The Block Development Officer, Barari, P.S- Barari, District- Katihar.
6. The B.E.E.O, Barari, P.O And P.S- Barari, District- Katihar.
7. Sri Gopal Mandal S/O Anuplal Mandal,The Then Mukhiya, Sri Janardan Sah, Present Mukhiya Sakraili Gram Panchayat, P.S- Barari, P.O- Semapur, District- Katihar
8. Sri Bishundeo Ravidas, The Then Secretary (Sachiv), Sri Sudhansu Shekhar Mishra Present Secretary, Sakraili Gram Panchayat, P.O- Semapur, P.S- Barari, District- Katihar.
9. Md. Taufique Alam S/O Md. Manir Alam Village And P.O- Sukhasan, Police Station- Barari, District- Katihar.

.... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Rama Nand Poddar
For the Respondent/s : Mr. Rajesh Singh

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 18-08-2016

Heard counsel for the petitioner, the private respondent and the State.

Keeping in mind that the District Teachers Employment Appellate Tribunal, Katihar does not have any revisional power, conferred upon him, as well as this fact, having been noticed in the order of the Learned Single Judge, contained in Annexure-5, dated 21.02.2012 and the parameters indicated therein, obviously, the District

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Teachers Employment Appellate Tribunal has got carried away beyond its directive and observation given by the Learned Single Judge in his order, contained in Annexure-5 as well as the factual finding given by the Tribunal itself in its previous order, dated 18.09.2009, contained in Annexure-2.

These are sufficient grounds to quash the order, dated 11.07.2013, passed in Appeal Case No. 1541 of 2009, which is Annexure – 6 to this writ application.

The writ application is allowed.

The matter is remanded back for fresh consideration. The Tribunal will now take into consideration the previous findings recorded in its order, dated 18.09.2009 and what the High Court had observed in Annexure – 5 in C. W. J. C. No. 177 of 2010, dated 21.12.2012.

(Ajay Kumar Tripathi, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	18.08.2016
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