

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16551 of 2015

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1. Jai Prakash Singh son of Surendra Singh resident of At - Maharuan, P.O. - Garkha, District - Saran at Chapra.
 2. Narayan Kumar Pandey son of late Shambhu Sharan Pandey resident of Gudari Bazar, Salapatganj, Chapra, District - Chapra.
 3. Rajesh Kumar son of late Murlidhar Gupta resident of behind Sadar Hospital, Chapra, District - Chapra.
 4. Ajay Kumar son of Lalan Prasad resident of Daulatganj Bachhuali Babu Ki gali, Chapra, District - Chapra.
 5. Nitkarsh Kumar Sinha son of Giridhar Gopal Prasad resident of near Chairman, Daulatganj, Chapra.
 6. Manoj Ranjan son of Giridhar Gopal Prasad resident of near Chairman, Daulatganj, Chapra.
 7. Manoranjan Kumar Singh son of late Ram Vilas Singh resident of village + P.O. - Nachap, Ekma (Saran).
 8. Deepak Kumar son of Amarnath Prasad resident of Daulatganj, Chapra.
 9. Vinod Kumar son of Shiv Narayan Prasad resident of village - Asoiyan, P.O. - Marhouraha (Saran).
 10. Kumari Priyanka Singh @ Priyanka Singh daughter of Ganesh Singh resident of village - Devariya, Khurda, P.O. - Tekai, District - Mau, U.P.
 11. Abha Kumari daughter of Dharambir Ray resident of At - Pahleja, Shahpur, Diyara, P.O. - Pahleja-Barka, P.S. - Sonpur (Saran).
 12. Munna Kumar Pandey son of Anil Kumar Pandey resident of Pakari, Narotam, Pannapur (Saran).
 13. Ramjeet Ram son of Harikeshwar Ram resident of At - Pahleza Shahpur Diyara, P.O. - Sonapur, District - Saran.
 14. Dhupendra Kumar Tiwari son of Ramnandan Tiwari resident of At - Mothaha Rampur, via - Nagra, Marhowra, Saran
- Petitioner/s

Versus

1. The State of Bihar.
 2. The Chief Secretary, Government of Bihar, Patna.
 3. The Principal Secretary, Education Department, Government of Bihar, Patna.
 4. The Director (Primary Education), Government of Bihar, Patna.
 5. The District Magistrate, Saran at Chapra.
 6. The Deputy Development Commissioner, Saran at Chapra.
 7. The District Education Officer, Saran at Chapra.
 8. The District Programme Officer, Saran at Chapra
- Respondent/s
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Appearance :

For the Petitioner/s : Mr Ajit Kumar
Mr. Rajesh Kumar Singh
For the Respondent/s : Mr. AC to AAG 9

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 26-09-2016

These petitioners have approached the High Court for a

direction to complete the process of selection and give them appointment letters on the post of Panchayat Shikshak/ Prakhand Shikshak in the district of Saran. They draw analogy from the facts that the State authorities have taken steps for appointment under Urdu and Bangla category, therefore, they also have a right for such appointment.

The stand of the State in the counter affidavit is that Urdu and Bangla teachers are a different class and for them eligibility test was conducted on 1.10.2013 and thereafter several writ applications were filed with regard to conduct of examination. Due to the litigations pending before the Court, delay was caused in their appointment. Now, that the matter has been settled right up till Division Bench, steps have been taken for such completion of appointment.

This Court fails to understand as to from where and which constitutional provision a direction can be issued upon the respondents to either appoint the petitioners or offer them appointment letters as a matter of course and right. As and when the respondents will decide to do so as a matter of policy, petitioners will have occasion for consideration. The Court will not issue mandamus for such appointment at this juncture.

Writ is dismissed.

(Ajay Kumar Tripathi, J)

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AFR/NAFR	NAFR
CAV DATE	
Uploading Date	27.9.2016
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