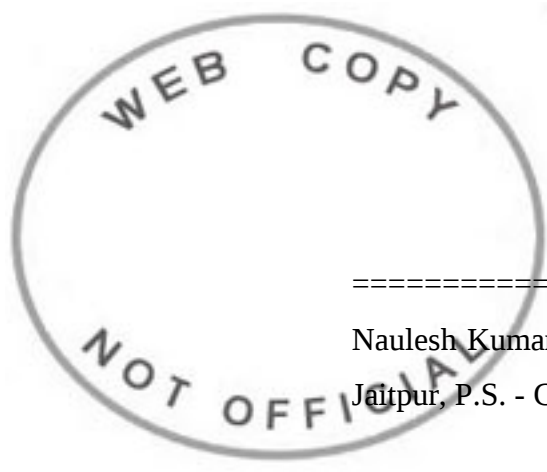




IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1117 of 2015

Arising out of

Civil Writ Jurisdiction Case No. 9306 of 2010

Along with

Interlocutory Application No.4772 of 2015

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Naulesh Kumar, son of Sri Babulal Pandit, resident of Village - Sri Nagar, P.O. -
Jaitpur, P.S. - Chandi, District - Nalanda.

.... Petitioner-Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. District Magistrate, Nalanda at Biharsharif.
3. The District Superintendent of Education, Nalanda at Biharsharif.
4. Block Education Extension Officer, Tharthari, District - Nalanda at Biharsharif.
5. Mukhiya Gram Panchayat Raj, Jaitpur, Tharthari, District- Nalanda.
6. Panchayat Secretary, Gram Panchayat Raj, Jaitpur, Tharthari, District -
Nalanda.
7. Head Master, Primary School, Mukundan Bigha - 2, Jaitpur, District - Nalanda.
8. Member, District Teacher Employment Appellate Tribunal, Nalanda at
Biharsharif.

.... Respondents- Respondent/s

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Appearance :

For the Appellant/s : Mr. Shivendra Prasad, Advocate

For the Respondent/s : Mr. Birju Prasad, G.P.-13

Mr. Amresh A.C. to G.P.-13

Mr. Ashok Kumar, A.C. to G. P.-13

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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: 29-09-2016

Re.: Interlocutory Application No.4772 of 2015

The application is for condonation of delay of 80 days in filing of the present Letters Patent Appeal.

For the reasons mentioned in the application, we find that sufficient cause is made out for condonation of delay. Consequently, we condone the delay in filing of the present Letters Patent Appeal.

Interlocutory Application stands allowed accordingly.

Re.: Letters Patent Appeal No.1117 of 2015

The present Letters Patent Appeal is directed against an order passed by the learned Single Judge of this Court on 14th of May, 2014 whereby the writ application filed by the appellant was dismissed.

As per the finding recorded by the learned Single Bench, the appellant had not applied for the post of Shiksha Mitra and for that reason, his name does not appear in the register which contains names of 15 candidates. The appellant was appointed in 2006, whereas, from the materials on record, it appears that the appellant was not a candidate in the year 2003-04.

Since the appellant was not appointed when the applications of other candidates were being considered, therefore, the appointment of the appellant has been rightly set aside by the District Teachers

Employment Appellate Authority.

We do not find any error in the order passed by the learned Single Bench which may warrant interference in the present intra court appeal. The Letters Patent Appeal is, therefore, dismissed.

(Hemant Gupta, J.)

(Ahsanuddin Amanullah, J.)

Sunil/-

AFR/NAFR	N. A. F. R.
CAV DATE	N. A.
Uploading Date	04.10.2016
Transmission Date	