

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15460 of 2011

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1. Raj Kumar Singh S/O Shree Heera Singh R/O Vill. And P.O. - Belaon,
Police Station Sikraul, District - Buxar

.... Petitioner/s

Versus

1. The State Of Bihar Through The Chief Secretary, Human Resources Development Department, Patna
2. The Praesident Of The Counselling Committee Of Second Phase Teachers Recruitment Of Praarmbhik School, Of The Nokha Block, District - Rohtas
3. The District Panchayati Raj Officer, Rohtas
4. The District Education Officer, Rohtas
5. The District Education Superintendent, Rohtas
6. The Block Education Extension Officer, Nokha, District - Rohtas
7. The District Magistrate, Rohtas
8. The Block Development Officer, Nokha
9. The President Of District Teacher Employment Appellate Tribunal Sasaram, Rohtas

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nil Kamal

For the Respondent/s : Mr. Ashutosh Kumar Jha, AC to GA-11

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

8 14-12-2016 Heard learned counsel for the petitioner and
learned counsels for the respondents.

The petitioner is aggrieved for not being appointed as Trained Physical Block Teacher in the Nokha Block under the District of Rohtas.

Annexure-9 has been brought on record to suggest that petitioner preferred an appeal before the District Teacher Employment Appellate Tribunal, Sasaram on 05.07.2011 but the same is still pending. A statement to that effect has been made in paragraph no. 15 of the writ petition



which reads as follows:-

“That petitioner has been filed a petition before the District Teacher Employment Appellate Tribunal, Sasaram, Dist-Rohtas and copy of the same also served upon the respondent Chief Secretary, Human Resources Development Department, Patna and the President of Counseling Committee, Nokha, Dist-Rohtas for his appointment against the still five vacant seat of Nokha Block to the post of trained physical teacher and again reminder, last application on 5.7.2011 but the same is kept in pending.”

The counter affidavit has been filed on behalf of the respondent no. 6, the Block Education Extension Officer, Nokha, Rohtas and in paragraph no. 8 of the said counter affidavit, the statement made by the petitioner in paragraph no. 15 of the writ petition has only been referred, as if the Block Education Extension Officer was not required to give proper instruction with regard to the stage of the appeal pending before the District Teacher Employment Appellate Tribunal, Sasaram, Dist-Rohtas. Paragraph no. 8 of the counter affidavit reads as follows:-

“That the petitioner has himself stated in paragraph no. 15 of the writ petition that he has filed application by way of appeal before the



District Teachers Appointment Appellate Authority,
Rohtas and the same is still pending.”

Since the writ application has been preferred in 2011 but the counter affidavit on behalf of respondent no. 6 has been filed on 13.12.2016 and since the appeal is still pending before the District Teacher Employment Appellate Tribunal, Sasaram, Dist-Rohtas, the writ application is disposed of with a direction to the District Teacher Employment Appellate Tribunal, Sasaram, Dist-Rohtas to dispose of the appeal of the petitioner preferably within a period of two months after giving notice to all the affected parties, if it has not been disposed of till date.

(Dinesh Kumar Singh, J)

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