

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9655 of 2013

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1. Dilip Kumar Son Of Yadu Nandan Sharma Resident Of Village - Abgil, P.S. - Korma, District - Sheikhpura
 2. Rana Kumar Gautam Son Of Ram Raksha Singh Resident Of Village : - Miyan Bigha + P.S. - Shekhopur-Sarai, Dist - Sheikhpura
 3. Subodh Kumar Son Of Late Rameshwar Sinha Resident Of Village : - Katauna, P.S. - Katrisarai, Dist - Nalanda

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Human Resources Development Department, Govt. Of Bihar, Patna
3. District Education Officer, Sheikhpura District - Sheikhpura

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.

For the Respondent/s : Mr. Nikhil Kr. Agrawal, AC to GP-30

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 19-07-2016

Heard learned counsel for the parties.

In this case, the petitioners are making relief in the nature of mandamus that the respondents should be directed to complete the second phase of appointment, only then the third phase of appointment should be done.

As per claim of the petitioners, the second phase of appointment was not completed and Government started third phase of appointment of Panchayat Teacher, by that time the petitioners have become overaged, being disqualified for the post of Panchayat Teacher.

The relief sought for in this writ application cannot entertained in the present form as merely the petitioners have applied in the second phase, does not get any vested right or any legal right. By the time, new rule has already been enforced which provides different mode of appointment and, so much so, that the State has already initiated third phase of appointment in the year 2012 itself.

In such view of the matter, there is no merit in this writ application and the same is, accordingly, dismissed.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
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