

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5565 of 2014

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Mangal Mandal S/O : Late Jagdeo Mandal R/O Village - Caltaul Sukhsena, P.O: -
Ladugarh, Panchayat - Sukhsena, P.S. - Barlaha Kothi, District - Purnia

.... Petitioner

Versus

1. The State Of Bihar Through The Commissioner-Cum-Principal Secretary,
Department Of Education / Human Resources Development, Govt. Of Bihar, Vikas
Bhawan, New Secretariat, Patna
2. The Director, Primary Education, Govt. Of Bihar, Patna
3. The District Education Officer-Cum-District Programme Coordinator, Purnia
4. The Range Education Officer, Banmankhi, Purnia
5. The Block Education Extension Officer, Barhara Kothi, Purnia
6. The Mukhia, Gram Panchayat Sukhsena, Purnia
7. The Panchayat Secretary, Gram Panchayat Sukhsena, Block : Barhara Kothi,
Purnia
8. The Head Master, Primary School, Adivasi Jaungi, Block - Barhara Kothi,
District - Purnia
9. Shiv Narayan Mandal S/O : Late Mangal Mandal Resident Of : Village : Kailutol
Sukhsena, Block - Barhara Kothi, District - Purnia
10. Pawan Kumar Thakur Son Of : Shri Sumarit Thakur Resident Of : Village :
Block - Barhara Kothi, District - Purnia

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Adv.
Mr. Manoj Kumar, Adv.

For the Respondent/s : Mr. Ravish Chandra, AC to SC6

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT

Date: 29-09-2016

Heard learned counsel for the petitioner and the counsel for
the State.

Even though power was filed on behalf of private
respondents no. 9 and 10, there is none to represent them.

Petitioner has challenged the order dated 4.5.2012
(Annexure 8 to the writ application), which is the order passed by the
District Teachers Employment Appellate Authority, Purnea in a batch
of complaint cases which was clubbed together and decided.

Pointed submission of the counsel for the petitioner is that from the order of the Tribunal passed in those cases, in one of which present petitioner was also a party i.e. Case No. 768/2010, the Tribunal had annulled the appointment of Panchayat Teachers including the present petitioner with a direction for fresh counselling.

Certain other development had taken place in the meantime. Identical order of the Tribunal was subject matter of challenge in a batch of writ applications, a leading case being C.W.J.C.No. 13835/2012, which is the case of Pravin Kumar Pravin v. the State of Bihar & ors. and other analogous cases decided on 12.8.2016 by a learned Single Judge. Learned Single Judge after considering the submissions by a detailed order has quashed the order of the Tribunal dated 4.5.2012.

For the rationale and reasoning provided by the learned Single Judge the impugned order, contained in Annexure 8, dated 4.5.2012 is quashed. The order of the learned Single Judge will apply to the case of the present petitioner as well in terms of the relief.

Writ is allowed.

(Ajay Kumar Tripathi, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.9.2016
Transmission Date	NA