

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1988 of 2015

In
Civil Writ Jurisdiction Case No. 796 of 2014

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Raghunath Yadav S/O Late Bihari Yadav Resident Of Village Halsi, P.S-
Halsi, District- Lakhisarai.

.... Appellant/s

Versus

1. The State Of Bihar Through The Director, Primary Education, Bihar, Patna
2. The District Magistrate, Lakhisarai.
3. The District Education Officer, Lakhisarai.
4. The District Programme Officer, Lakhisarai.
5. The Block Development Officer, Halsi, District- Lakhisarai.
6. The Block Education Officer, Halsi, District- Lakhisarai.
7. Sri Rakesh Kumar S/O Late Chhotelal Ram Resident Of Mohalla-Sadipur Chhoti Durga Asthan, P.S- Kotwali, District- Munger, Ex-Panchayat Sachiv, Gram Panchayat Halsi, P.S- Halsi, District- Lakhisarai., At Present Panchayat Sachiv Suryagarha, P.S- Surgagarya, District- Lakhisarai.
8. Sri Rahul Sharma S/O Pramod Sharma Resident Of Village Halsi, P.S- Halsi, District- Lakhisarai, Ex- Mukhia Gram Panchayat Halsi, P.S- Halsi, District- Lakhisarai.
9. Pampam Kumari D/O Mahesh Prasad Singh Resident Of Village Baha Chowki, P.S- Dharhara, District- Munger, At Present Panchayat Teacher Newly Established Primary School Block Campus Mushahari Tola, Halsi, P.S- Halsi, District- Lakhisarai.
10. Kanchan Kumari D/O Krishna Murari Singh Resident Of Village Halsi, P.S- Halsi, District- Lakhisarai., At Present Panchayat Teacher Newly Established Primary School Block Mushahari Tola, Halsi, P.S- Halsi, District- Lakhisarai.
11. Nitu Kumari D/O Bhagirath Singh And W/O Raushan Kumar Resident Of Village- Mohanpur, P.S- Ramchandrapur, District- Lakhisarai, At Present Panchayat Teacher Primary School Baghaur, Mushahari, Ps- Halsi, District- Lakhisarai.
12. Shashi Bhushan S/O Harikant Singh Resident Of Village- Dumra Ward No. 2, P.S- Barahia, District- Lakhisarai. At Present Panchayat Teacher Newly Established Primary School Tarhari Mor Mushahari Halsi, P.S- Halsi, District- Lakhisarai.
13. Anupama Kumari D/O Sri Ram Singh Resident Of Village- Halsi, P.S- Halsi, District- Lakhisarai, At Present Panchayat Teacher Primary School Baghaur, Mushahari, P.S- Halsi, District- Lakhisarai.
14. Nisha Devi D/O Shyam Sunder Singh Resident Of Village- Halsi, P.S- Halsi, District- Lakhisarai, At Present Panchayat Teacher Newly Established Primary School Tarhari Mor Mushahari, P.S- Halsi, District- Lakhisarai.
15. Upendra Ram S/O Ram Lal Ram Resident Of Village- Halsi, P.S- Halsi, District- Lakhisarai, At Present Panchayat Teacher Primary School Konagdi, Mushahari, P.S- Halsi, District- Lakhisarai.
16. Awadh Kishore S/O Late Bhuttu Mahto Resident Of Village- Karnpura, P.S- Suryagarha, District- Lakhisarai, At Present Panchayat Teacher



- Primary School Bandol, P.S- Halsi, District- Lakhisarai.
17. Amod Kumar S/O Basuki Singh Resident Of Village- Tilakpur, P.S- Chanan, District- Lakhisarai, At Present Panchayat Teacher Primary School Baghaur, Mushahari P.S- Halsi, District- Lakhisarai.
18. Dinesh Kumar Paswan S/O Guleshwar Paswan Resident Of Village- Kundar, P.S- Chanan, District- Lakhisarai, At Present Panchayat Teacher Newly Established Primary School Konagdi, Mushahari, P.S- Halsi, District- Lakhisarai.
19. Rubi Kumari D/O Ram Kumar Resident Of Village- Bandol, P.S- Halsi, District- Lakhisarai, At Present Panchayat Teacher Primary School Mahsoni, P.S- Halsi, District- Lakhisarai.
20. Anil Kumar S/O Kapildeo Mahto Resident Of Village Kundi, P.S- Halsi, District- Lakhisarai, At Present Panchayat Teacher School Mahsoni, P.S- Halsi, District- Lakhisarai.
21. Geeta Kumari D/O Ravi Ranjan Sanohi Resident Of Village- Intabandh, P.S- Chandradeep, District- Jamui, At Present Panchayat Teacher Primary School Konagdi, Mushahari, P.S- Halsi, District- Lakhisarai.
22. Nagina Paswan S/O Sewak Paswan Resident Of Village Guaharnagar (Khutkat), P.S- Sikandra, District- Jamui, At Present Panchayat Teacher Primary School Neema, P.S- Halsi, District- Lakhisarai
23. Sonam Kumari D/O Shyam Kumar Chandrawanshi Resident Of Village- Baghaur, P.S- Haldi, District- Lakhisarai, At Present Panchayat Teacher Newly Established Primary School Konagdi Mushahari, P.S- Halsi, District- Lakhisarai

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bharat Lall, Advocate
For the Respondent/s : Mr. Kinkar Kumar, SC 27
For Private Respondents : Mr. Arun Kumar, Advocate
Mr. Ram Vinay Prasad Sinha, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-09-2017 Keeping in view the fact that petitioner is a Mukhia, who has no *locus standi* to challenge the selection process as already held by the coordinate Division Benches of this Court vide order dated 18.03.2011 passed in L.P.A. No. 477 of 2011 and other analogous appeals and in the case of Sangeeta



Kumari Yadav Vs. the State of Bihar & others, reported in 2015 (3) PLJR 503, wherein it has been held that the Mukhia of the concerned Panchayat cannot challenge the matter of appointment of a Panchayat Teacher, we see no reason to make indulgence in the matter and the learned Writ Court has rightly held that the Mukhiya of the Panchayat has no *locus standi* to challenge the appointment of Panchayat Teacher relying on the judgment of Division Benches of this Court.

The appeal, accordingly, stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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