

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Letters Patent Appeal No.1832 of 2015  
Arising out of  
Civil Writ Jurisdiction Case No. 3872 of 2015**

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1. Aftab Alam S/o Mojibur Rahman, resident of Mohalla- Shamsheganj, Islam Nagar, Ward No.-2, P.O.- B.M.P. 7 Katihar, Dist.- Katihar.
  2. Md. Nafis, S/o Sheikh Akbar Hussain, resident of Village- Khanwa, P.O.- Kalsar, P.S.- Kalsar, Dist.- Katihar,
  3. Gulab Chandra Yadav, S/o Prem Lal Yadav, resident of Village- Naya Tola Sapani, P.S.- Dand Khora, P.O. Bhagatagama, District- Katihar.

.... .... Appellant/s

Versus

1. The State of Bihar
2. District Magistrate, Katihar,
3. District Teacher Employment Appellate Authority, Katihar, through its Presiding Officer.
4. District Education Officer, Katihar,
5. District Programme Officer (Establishment), Katihar,
6. Block Development Officer, Hasanganj, Katihar,
7. Block Education Officer, Hasanganj, Katihar,
8. Block Education Extension Officer, Hasanganj , Katihar,
9. Block Employment Committee through Pramukh, Hasanganj Block, Hasanganj, Katihar.

.... .... Respondent/s

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**Appearance :**

For the Appellants : Mr. Umakant Verma, Advocate  
For the State : Mr. K.K. Singh, AC to SC-10

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**CORAM: HONOURABLE THE ACTING CHIEF JUSTICE  
and  
HONOURABLE MR. JUSTICE SUDHIR SINGH**

**ORAL JUDGMENT**

**(Per: HONOURABLE THE ACTING CHIEF JUSTICE )**

**Date: 09-02-2017**

Re: Interlocutory Application No.8188 of 2015



The application is for condonation of delay of 55 days in filing the Letters Patent Appeal.

2. For the reasons mentioned in the Interlocutory Application, we are satisfied that the appellant has shown sufficient cause to seek condonation of delay in filing the present Letters Patent Appeal.

3. Consequently, Interlocutory Application is allowed and delay in filing the Letters Patent Appeal is condoned.

Re: Letters Patent Appeal No.1832 of 2015

The challenge in the present Letters Patent Appeal is to an order passed by the learned Single Bench on 19<sup>th</sup> of May, 2015 in C.W.J.C. No.3872 of 2015, whereby the writ application filed by the appellants for appointment as Panchayat teachers was dismissed for the reason that the appellants did not appear for counselling and that they approached the District Teachers Employment Appellate Authority after three years.

The limitation to raise a grievance in respect of appointment under the Rules is 30 days in terms of Bihar Panchayat Primary Teachers (Employment and Service Conditions) Rules, 2006 but, instead of 30 days, the appellants have made grievance after three years.

Still further, there is a finding that the appellants did



not appear for counselling. In view of the said fact, 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.

Consequently, the Letters Patent Appeal is dismissed.

**(Hemant Gupta, ACJ)**

**(Sudhir Singh, J)**

Narendra/-

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