

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12078 of 2011

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1. Uma Shankar Rajak S/O Sri Bijay Gopal Rajak R/O Village /Mohalla - Jay Prakash Market, Thana Chowk, P.S. - Lakhisarai , Distt. - Lakhisarai

.... Petitioner/s

Versus

1. The State Of Bihar Through Its Principal Secretary, Human Resources Development Department, Government Of Bihar, New Secretariat, Patna
2. The Director, Primary Education, Government Of Bihar, New Secretariat, Patna
3. District Superintendent Of Education, Lakhisarai
4. The District Teachers Appointment Appellate Authority, Lakhisarai
5. Sunil Rajak, son of Shiv Kumar Rajak, Assistant Teacher, High School, Naoma Halsi, Lakhisarai
6. Abhay Paswan son of Late Dhaneshwar Paswan, Assistant Teacher Uchacha Vidyalaya, Wallipur, P.S.-Pipan, Lakhisarai
7. Gulzari Ram, son of Bansri Ram, Assistant Teacher, Uchcha Vidyalaya, Ramchandrapur, P.S.-Pipane, Lakhisarai

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Pandey, Adv
For the respondent nos. 5, 6 7	:	Mr. Indu Bhushan, Adv
For the State	:	Mr. Jitendra Kumar, AC to AAG-14

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL JUDGMENT

Date: 08-04-2017

Heard learned counsel for the petitioner,
learned counsel for the respondent nos. 5, 6, 7 and learned
counsel for the State.

The present writ application has been filed
for setting aside the order dated 19.05.2010 passed by
respondent, Member, District Teacher Appointment Appellate



Authority, Lakhisarai in Appeal No. 05/10-11.

The petitioner has based his claim on the ground that although a candidate who scored lesser marks than the petitioner has been appointed, the petitioner has neither been appointed as panchayat teacher nor he was ever informed about the counseling. The District Teacher Employment Appellate Authority, without issuing notice to the petitioner, disposed of the appeal on 19.05.2010 when the appeal was filed on 06.05.2010.

Since the matter relates to appointment of Panchayat teacher and this Court has been informed that the Bihar State Teachers Appellate Authority has started functioning, this writ application is disposed of with a liberty to the petitioner to file appeal before the State Appellate Authority within six weeks of receipt or production of this order.

In view of the fact that the petitioner was pursuing remedy before this Court as this writ application is pending since 2011 and both sides agree not to raise the issue of limitation before the Appellate Authority, it is expected from the Appellate Authority to decide the matter expeditiously on merit in accordance with law provided if it is filed within a period of four weeks of receipt or production of this order. Accordingly, the appellate authority is expected to



pass appropriate order if any limitation petition is being filed.

Accordingly, the writ application is disposed
of.

(Dinesh Kumar Singh, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12/04/2017
Transmission Date	NA

