

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15032 of 2010**

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Vijay Yadav S/O Rohan Yadav R/O Vill. + P.S.- Koch (Bazar), Distt.- Gaya

.... .... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department Of Human Resources Development,  
Government Of Bihar, Vikash Bhawan, Patna
3. The Director, Primary Education Government Of Bihar, Vikash Bhawan, Patna
4. The District Education Officer, Gaya
5. The District Superintendent Of Education, Gaya
6. The Block Development Officer, Koch, Gaya
7. The Block Education Extension Officer, Koch, Gaya
8. The District Teacher Employment Appellate Authority, Gaya
9. The Gram Panchayat Raj, Parsawa Koch, Gaya Through The Panchayat  
Secretary
10. Mukhiya, Gram-Panchayat Raj, Parsawa Koch, Gaya
11. The Panchayat Secretary, Gram Panchayat Parsawa Koch, Gaya
12. Mr. Satyendra Prasad S/O Ramlakhan Prasad R/O Khjury, P.S.- Koch, Distt.-  
Gaya

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s :  
For the Respondent No. 12 : Mr. Vijay Kumar, Advocate

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**

ORAL JUDGMENT

**Date: 06-03-2017**

Heard learned counsel for the parties.

The challenge in the present writ petition is to the order  
dated 06.08.2010 passed in Case No. 765 of 2009 by the District  
Teachers Employment Appellate Authority, Gaya by which the



employment of the petitioner has been directed to be cancelled and in his place the respondent no. 12 has been directed to be appointed.

The petitioner was appointed as Panchayat Teacher in Primary School, Kouriya under Panchayat Parsawa in the district of Gaya on the seat reserved for handicapped.

Learned counsel for the respondent no. 12 submitted that the petitioner is only 30 % handicapped whereas the minimum eligibility is of 40% handicapped. It was submitted that the respondent no. 12 is 40% handicapped and, thus, rightly the claim of the petitioner on a reserved post for handicapped has been found to be unsustainable and direction given to remove him. Learned counsel further submitted that pursuant to the order impugned he has also been appointed and he is discharging the duties of his post.

In view thereof, the Court does not find any ground for interference in the order impugned and, accordingly, the writ petition stands dismissed.

**(Ahsanuddin Amanullah, J)**

Anjani/-

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