

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.807 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 10093 of 2010**

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Shri Rajendra Kumar Ram, son of late Doman Ram, R/o Village + P.O. – Rajpur,
P.S. Raghunathpur, District Siwan (Respondent No. 16 of CWJC No. 10093/2010)
..... Appellant

Versus

1. The State of Bihar
 2. The Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna
 3. The Director, Primary Education, Bihar, Patna
 4. The Divisional Commissioner, Saran Division at Chapra
 5. The District Magistrate, Siwan
 6. The Deputy Development Commissioner-cum-Chairman, District Education Establishment Committee, Siwan
 7. The District Superintendent of Education, Siwan
 8. The Block Development Officer, Raghunathpur, District Siwan
 9. The Block Education Officer, Raghunathpur, District Siwan
 10. The Prakhanda Pramuch, Raghunathpur Prakhanda, District Siwan
 11. Shri Sitaram Yadav, the Ex-Mukhiya of Gram Panchayat Raj Rajpur, Block Raghunathpur, District Siwan
 12. Srimati Sunita Devi, the Present Mukhiya of Gram Panchayat Raj Rajpur, Block Raghunathpur, District Siwan
 13. Shri Awadhesh Prasad Singh, the Ex – Panchayat Secretary of Gram Panchayat Raj Rajpur, Block Raghunathpur, District Siwan, presently posted as Panchayat Secretary, Gram Panchayat Raj Barahariya, Block Barahariya, District Siwan
 14. Shri Surendra Ram, the present Panchayat Secretary of Gram Panchayat Raj Rajpur, Block Raghunathpur, District Siwan
 15. The Member, District Teacher's Employment Appellate Authority, Siwan
(All were respondents in CWJC No. 10093/2010)
 16. Ganesh Tiwari, son of Shri Shankar Tiwari, R/o Village + Post Office – Rajpur, P.S. Raghunathpur, District Siwan (Petitioner in CWJC No. 10093/2010)
 17. (Name deleted by Arun Kumar No. 1, Advocate, AOR – 03256)
- Respondents

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Appearance:

For the Appellant/s : Mr. Mohan Lal Das, Advocate.
For the Respondent/s : Ms. Alka Verma, AC to SC 7.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 28-07-2017

Heard learned counsel for the appellant and learned AC to



SC 7 representing the State.

Perused the impugned order of the learned Single Judge dated 26.08.2014. The law being well settled by a Full Bench decision of this Court in the case of **Kalpana Rani Vs. State of Bihar [2014 (2) PLJR 665]** which has been duly taken care of by the learned Single Judge in dismissing the Writ Application read with the decision rendered in the case of Smt. Renu Kumari Pandey Vs. State of Bihar [2011 (4) PLJR 297] that no person, who was not appointed on the post of Shiksha Mitra prior to 01.07.2006, can be allowed to raise a grievance against any selection or non-selection after the 2006 Rules, known as, Bihar Panchayat Elementary Teachers (Appointment and Service Condition) Rules, 2006 came into play.

Admitted position is that this appellant was never appointed by any authority as a Panchayat Shiksha Mitra before 01.07.2006, therefore, he is precluded from raising any issue before any forum much less before this forum.

Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
CAV DATE	N/A
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