

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.734 of 2015

In

Civil Writ Jurisdiction Case No. 4106 of 2013

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Pramila Kumari. W/O Sri Chandra Bhushan Paswan. Resident of Village -
Bakhada, P.S.Khodabandpur, Distt - Begusarai

.... Appellant

Versus

1. The State Of Bihar, Through the Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
2. The District Magistrate, Begusarai.
3. The District Education Officer, Begusarai.
4. The Sub - Divisional Magistrate, Manjhaul, Begusarai.
5. The District Programme Officer, Begusarai.
6. The Block Development Officer, Chourahi, Begusarai.
7. The Block Education Extension Officer, Chourahi, Begusarai.
8. The Member District Teacher Appellate Tribunal , Begusarai.
9. The Mukhia, Gram Panchayat Raj, Sabant, Chourahi, Begusarai.
10. The Panchayat Secretary, Gram Panchayat Raj, Sabant Chourahi, Begusarai.
11. The Headmaster Primary School, Bakheda, Chaurahi, Begusarai.

.... Respondents

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Appearance :

For the Appellant/s : Mr. Manoj Kumar Singh

For the Respondent/s : Mr. Nirbhay K.Singh

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

4 27-07-2017 The learned single Judge dismissed the writ application based on a Division Bench decision rendered in the case of *Smt. Renu Kumari Pandey vs. The State of Bihar & Ors.* reported in 2011(4) PLJR 297. The position in law in fact has been further reinforced by a Full Bench decision rendered in the case of *Kalpana Rani Vs. The State of Bihar and Others*, reported in 2014(2) PLJR 665 that there will be no occasion for



giving a direction for appointment to the post of Panchayat Shiksha Mitra since the post stood abolished and only such Panchayat Shiksha Mitra, who was holding the post as such would by a deeming fiction become a Panchayat Teacher with effect from 01.07.2006.

Since the appellant had already been removed prior to the magical date, she has no remedy.

Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

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