

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16691 of 2016

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Ranjeet Kumar Mishra, son of Anand Chandra Mishra, Resident of Village and P.O. Saurath, P.S. Rahika, District-Madhubani.

.... Petitioner

Versus

1. The State of Bihar, through the Chief Secretary Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Education Department, Government of Bihar, Patna.
4. The Regional Deputy Director of Education, Darbhanga Division, Darbhanga.
5. The District Magistrate, Madhubani, District-Madhubani.
6. The District Education Officer, Madhubani, District-Madhubani.
7. The District Programme Officer (Establishment), Madhubani, District-Madhubani.

.... Respondents

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Appearance :

For the Petitioner : Mr. Vijay Kumar Singh, Advocate.

For the Respondents : Mr. Amarendra Kumar, A.C. to A.A.G. 15.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 11-04-2017 In this petition filed in public interest, the petitioner claiming to be a public spirited person makes challenge to promotions made by the Education Department on the post of the Assistant Teachers in various cadres. It is said that the illegalities and irregularities have been committed in the process initiated for promotion.

The Hon'ble Supreme Court in the case of **Bholanath**

Mukherjee & Ors. Vs. Ramakrishna Mission Vivekananda

Centenary College & Ors, reported in **2011(5) SCC 464** and



thereafter the Delhi High Court in the case of **W.P.(C) 1698/2017**
(Forum of SC and ST Legislators and Parliamentarians Vs.
Oil and Natural Gas Corporation Ltd. & Anr., recently on
27.02.2017 have laid down a principle that in the matter pertaining
to service dispute, the 'Public Interest Litigation' is not
maintainable. The aggrieved persons should ventilate the
grievance by approaching the Court. That being so, at the instance
of the petitioner who is not an aggrieved person, we are not
inclined to go into the question. However, with regard to any other
allegations which can be investigated and looked into by the
Vigilance Department of the State Government, in case, the
petitioner has any grievance, he may take up the issue with the
Vigilance Authority of the State Government or the Lokayukt
Organization and it is for the authorities to look into the grievance
of the petitioner in light of the statutory power available to them
and dismissal of this writ petition shall not come in the way of this
authority to consider the grievance of the petitioner.

With the aforesaid observations, the petition stands
dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

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