

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1143 of 2014

IN

Civil Writ Jurisdiction Case No. 17222 of 2010

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Preety Kumari @ Kumari Preety Daughter of Chakradhar Singh Resident of
Village/Mohalla - Kamalpur, P.S.- Jagdishpur, District - Bhagalpur.

.... Appellant/s

Versus

1. The State of Bihar through Secretary, Department of Human Resources, Government of Bihar.
2. The District Magistrate, Bhagalpur.
3. The District Superintendent of Education, Bhagalpur.
4. The Block Development Officer, Sahkund, District- Bhagalpur.
5. The Block Education Extension Officer, Shahkund Block, District- Bhagalpur.
6. The Mukhiya, Gram Panchayat, Hazipur, Block Shahkund, District- Bhagalpur.
7. The Panchayat Sevak cum Secretary, Gram Panchayat Raj, Hazipur, Block- Shahkund, District- Bhagalpur.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dharendra Nath Jha

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 11-04-2017

Heard learned counsels for the parties.

The appeal filed against the order, dated 24.03.2014, passed by the Learned Single Judge in C. W. J. C. No. 17222 of 2010, is not required to be interfered with for the reason that the appellant, who claims herself to be a Panchayat Shiksha Mitra herself absented from duty for more than a year between 13.07.2005 to 11.07.2006, when there is no provision for such prolonged absence or leave.



In addition to that if the appellant was not working as a Panchayat Shiksha Mitra on 01.07.2006, from which date a Panchayat Shiksha Mitra became a Panchayat Teacher, the prayer of the appellant to give a direction to accept her joining on the post of Panchayat Shiksha Mitra, is a misplaced kind of expectation to have, as nobody can be directed to join on a non-existent post, now.

This is what the Learned Single Judge has said while dismissing the writ application. In the opinion of this Bench, he has rightly done so. The order does not suffer from any infirmity.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

SKM/-

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