

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1736 of 2017

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Janaradan Hembram, son of Chaklall Hembram, Resident of Kachri Gali, Saidpur,
P.S.- Kadamkuan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Research and Training Institute Directorate, Government of Bihar, Patna.
4. The Secretary, Bihar School Examination Board, Patna.
5. The Bihar Public Services Commission through its Chairman, Bihar, Patna.
6. The Chairman, Bihar Public Service Commission, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Soni Shrivastava, Advocate

For the Respondent/s : Mr. Ashutosh Ranjan Pandey-AAG15

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 21-03-2017

The petitioner has filed this writ petition in public interest and the grievance of the petitioner is that in spite of directions issued on 06.05.2016 in CWJC No.12609 of 2015, the State Government and the Bihar Public Service Commission has not taken any steps for appointing competent persons on the post of Lecturers at Primary Teachers Education Colleges, Block Education Institute of Training and various other Training Institutes. That apart, pointing out various discrepancies in the appointment made and complaining that incompetent persons contrary to the Recruitment Rules are being



appointed, this petition has been filed and it is stated that Lecturers are not being appointed in accordance to the requirement of Rule and adequate number of Lecturers are not available.

However, petitioner's own showing indicate that after the earlier writ petition was disposed of, Advertisement Nos. 2/2016, 3/2016, 4/2016, 6/2016, 7/2016 and 8/2016 have been issued and the Bihar Public Service Commission is in the process of making appointment based on these advertisements and even though six months have passed since issuance of the advertisements, it is stated that the process is not completed. However, as the process has already been initiated, we hope that the process would be completed well before commencement of the next academic session 2017-18 and for the present, once the process is in motion, we are not inclined to make any interference into the matter.

As far as the question of 99 deputed school teachers are not being absorbed is concerned, in this public interest litigation, we do not deem it appropriate to go into the said aspect as this is a service matter with regard to absorption of the deputed teachers and if the deputed teachers are not being absorbed, it is for them to ventilate the same by approaching the Court. At the instance of the petitioner, this issue cannot be considered in this petition.

With regard to discrepancies and incompetent teachers are



being appointed, in the absence of there being any specific material indicating the illegalities, discrepancies or particulars of the incompetent persons being appointed and without the incompetent persons being parties in this proceedings, we do not deem it appropriate to go into this aspect.

Accordingly, finding no merit in this petition, no indulgence can be granted to the petitioner. The writ application is disposed of.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Sunil/-

AFR/NAFR	N. A. F. R.
CAV DATE	N. A.
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