

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4562 of 2012

=====

Dhiraj Kumar Jha Son Of Sri Girish Jha Resident Of Village-Bbu Tola,
District-Banka (Bihar)-813102.

.... Petitioner

Versus

1. The State of Bihar.
2. Principal Secretary, Human Resources Development Department,
Government Of Bihar, Patna.
3. District Magistrate, Jamui-Cum-Chairperson of the Simultala
Residential Schools Management Committee, Jamui.
4. Director, Secondary Education, Government of Bihar, Patna.
5. Bijay Kumar, S/O Mahendra Mandal, Teacher, Simultala Residential
School, District-Jamui.

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Manisha Singh, Advocate.
For the Respondent No.5 : Mr. Sumeet Kumar Singh, Advocate.
For the State : Mr. Sanjay Kumar @ S.K. and Mr. Sajid
Khan, S.C.25.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 21-08-2017 Heard learned counsel for the petitioner and learned
counsel for the respondents.

The following relieves have been sought for by the
petitioner in the present writ application.

“I. For quashing of final select list as
contained in Annexure-6 so far as
post of P.G. T.(Physics) is concerned
and for a direction upon the
respondents to consider the case of
the petitioner as he also secured
equal marks (73 Marks) secured by
selected candidate of the subject
“Physics”.



II. For a direction upon the respondents to add 3 marks under marking scheme whereby 3 marks has been allotted to candidates having experience of Boarding School.

III. For a direction upon the respondents to produce Tabulation Register whereby marks have been allotted to the candidate in the process of selection pursuant to advertisement as contained in Annexure-1, so also for production of entire record of selection of Teachers of Simultala Residential School, Jamui, held in the year 2010.

IV. For a direction upon the respondents to consider the case of the petitioner on the basis of his qualification and work experience as he has also secured 73 marks as secured by the selected candidate.

V. For a direction upon the respondents to disclose as to why preferential treatment has been extended to the selected candidate in the event of tie.”

The matter relates to appointment of a teacher at Simultala Residential School, Jamui, where the petitioner has challenged the appointment of respondent no. 5 on the ground that the petitioner also possesses the same qualification but a preferential treatment has been given to respondent no. 5.

The petitioner is directed to make a representation before the respondent no. 4, the Director, Secondary Education, Government of Bihar, Patna, within a period of sixty days which



shall be considered by the Director, Secondary Education, Bihar, Patna, if necessary, he shall also call for the entire records in respect to appointment in question and examine the matter and pass a reasoned order in accordance with law after hearing all the parties within a period of five months from the date of filing of such representation.

With the aforesaid observations and liberty, the present writ application stands disposed of.

U.K./-

U			
---	--	--	--

(Sudhir Singh, J)

