

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1530 of 2014
IN
Civil Writ Jurisdiction Case No. 7398 of 2013**

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1. Bhagwan Prasad Son of Shri Krishna Bhagat
2. Nidhi Kumari, wife of Shri Bhagwan Prasad, Both are resident of Village-
Tewatha, P.O.- Bangra, Police Station- Maharajganj, District- Siwan

.... Appellants

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Government of Bihar, Patna
2. The Director, Primary Education, Bihar, Patna
3. The District Magistrate, Siwan
4. The District Education Officer, Siwan
5. The District Programme Officer (Establishment), Siwan
6. The Prakhand Pramukh, Maharajganj Prakhand, District- Siwan
7. The Block Development Officer, Maharajganj Block, District- Siwan
8. The Block Education Officer, Maharajganj, District- Siwan
9. The Member, District Teacher's Employment Appellate Authority, Siwan

.... Respondents

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Appearance :

For the Appellants : Mr. Ravindra Nath Dubey, Advocate

For the Respondent State: Mr. Madhaw Pd. Yadav, GP-23

Mr. Rajesh Kumar Sinha, AC to GP-23

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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: 09-05-2017

Heard counsel for the appellants and counsel for the
State. Perused the order dated 22.07.2014 passed in C.W.J.C. No.
7398 of 2013.

Besides the reason, which have been provided by the
learned single Judge for dismissing the writ application, this Court is
further not inclined to interfere with the said decision, firstly,
because the facts are not verifiable and, secondly, since the



appellants had raised a grievance before the Tribunal in the year 2012 when the appointments related to the year 2008. Settled position cannot be unsettled on *ipsi dixit* especially when concurrent findings are there.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Pawan/-

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