

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8142 of 2014

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Smt. Noor Fatma, daughter of Late Abdu Rashid Ansari, resident of Mohalla Agrawal Tola, P.S. Alamganj, Patna- 800007, in the town and district- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources Development, Government of Bihar, Vikash Bhawan, Patna
2. Director, Primary Education, Government of Bihar, Secretary, Patna
3. District Magistrate/Collector, Vaishali
4. District Education Officer, Vaishali
5. Block Education Development Officer, Bidupur, Vaishali
6. Secretary, Block Teachers Appointment Committee, Bidupur, Vaishali
7. President, Panchayat Sammittee, Bidupur, Vaishali
8. Executive Officer, Panchayat Sammittee-cum-Block Development Officer, Bidupur, Vaishali

... .. Respondent/s

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Appearance :

For the Petitioner : Mr. Ashok Kumar, Advocate
For the Respondents : Mr. Ashok Kumar Keshri, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 06-12-2017 It has been submitted on behalf of the petitioner that due to inadvertent mistake in the order dated 08.09.2017, on place of District Appellate Authority, Vaishali, it has been mentioned as State Appellate Authority.

The order dated 08.09.2017 is recalled.

The following reliefs have been sought for on behalf of the petitioner in the present writ application.

“(i) To issuance of writ, order or direction in the nature of certiorari/Mandamus and/or any other appropriate writ/writs, order/orders and direction/directions, quashing the office order dated 18.02.2013 bearing Gyapank no.



20/Shi. (Annexure-16), issued/passed by respondent no.8 Block Development Officer, by which the claim with regard to appointment of Block Urdu Teacher, made by the petitioner in view of order dated 14.08.2012 passed by this Hon'ble High Court in CWJC No.13881 of 2012 (Annexure-13), has been rejected solely and newly ground that out of 13 (thirteen) vacancy of Block Urdu Teacher one (1) vacancy is remained in E.B.C. Female Category and the position of the petitioner is 9th (Ninth), in Second phase appointment of the year 2008;

(ii) In consequence be further pleased to issue an appropriate writ/writs, order/orders or direction/directions, commanding and directing the respondents to appoint the petitioner in Block Urdu Teacher in view of and also in compliance of the order dated 14.08.2012 passed by this Hon'ble Court in CWJC No.13881 of 2012 which is binding in nature and also in view of Rule-6 of the Bihar Panchayat Primary Teacher (Appointment and Service condition) (amendment) Rule-2008 as admittedly there is total 13 vacancy of Block Urdu Teacher in Second phase and as per merit list total 13 candidates including the petitioner who have possessed the requisite qualification of Maulvi and or above;

(iii) In consequence be further pleased to



direct the respondent authority to appoint the petitioner on the admitted 13th vacancy of Block Urdu Teacher from the General Category though the petitionr has applied in E.B.C. (RF) category.”

Considering the reliefs sought for on behalf of the petitioner in the present writ application, the petitioner is directed to prefer an appropriate application for redressal of his grievance before the District Appellate Authority, Vaishali within a period of thirty days from the date of this order and the same shall be disposed of within the statutory period.

With the aforesaid observation and direction, the present writ application stands disposed of.

(Sudhir Singh, J)

Narendra/-

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