

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Miscellaneous Jurisdiction Case No.2497 of 2013**

**In**

**Civil Writ Jurisdiction Case No. 20609 of 2012**

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1. Meena Devi, D/O Ram Raj Ram, Resident of Villae- Karmaini, P.S- Barhara, District- Rohtas., Presently Posted As Block Teacher In Upgraded Middle School, Koindi, Chainpur, Kaimur.
  2. Dinesh Ram, S/O Nathuni Ram, Resident Of Village- Mukhrao, P.S- Kuchhila, District- Kaimur., Presently Posted As Block Teacher In Upgraded Middle School, Koindi, Chainpur, Kaimur.
  3. Nand Kishore, S/O Musafir Ram, Resident Of Village- Saikhua, P.S- Rajpur, District- Buxar., Presently Posted As Block Teacher In Upgraded Middle School, Koindi, Chainpur, Kaimur.
  4. Umesh Singh, S/O Arjun Singh Resident Of Village- Koindi, P.S- Chainpur, District- Kaimur, , Presently Posted As Block Teacher In Upgraded Middle School, Koindi, Chainpur, Kaimur.

.... .... Petitioner/s

**Versus**

1. The State Of Bihar Through The Principal Secretary, Department Of Education, Bihar, Patna, Namely Mr. Amarjeet Sinha.
2. The Director, Primary Education, Bihar, Patna, Namely Mr. Ajay Kumar Chaudhary
3. The District Magistrate, Kaimur, Namely Mr. Arvind Kumar Singh
4. The District Education Officer, Kaimur, Namely Mr. Vijay Kumar Himansu.
5. The District Programme Officer (Establishment), Kaimur, Namely Mr. Surya Narayan.
6. The Block Development Officer, Chainpur Block Kaimur, Namely Mr. Gopal Saha.
7. The Block Education Officer, Chainpur, Kaimur, Namely Mr. Krishna Nand Mishra.
8. The Head Master, Upgraded Middle School, Koindi, Chainpur, District- Kaimur, Namely Smt. Poonam Kumari.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Rajeeve Roy, Advocate  
Mr. Rana Ishwar Chandra, Advocate  
For the Respondent/s : Mr. Randhir Kumar, AC to SC 18

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**ORAL ORDER**

6 30-06-2017

Having heard learned counsel for the parties, I am

of the considered view that the petitioners cannot claim parity

with other employees in whose cases question of appointment



order being issued and its veracity has been tested in an enquiry conducted through Hand Writing Examination of the document, i.e. appointment order, whereas in the case of the petitioners, they have not gone to the appellate authority. As the enquiry was not conducted and if taking into all these factors, the respondents have refused to grant appointment to the petitioners in comparison to the employees whose cases were tested by the District Teachers' Appointment Appellate Authority, I see no case made out for initiating action for contempt in the matter. The petitioner, if advised, may approach the appellate authority and seek redressal of their grievance.

With the aforesaid liberty to the petitioners, the application stands disposed of.

**(Rajendra Menon, CJ)**

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