

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1168 of 2013
IN
Civil Writ Jurisdiction Case No. 6999 of 2010**

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Gazala Anjum, D/O Glulam Raza, resident of Village - Dihra, Post - Maniuch, P.S. - Sandesh, District - Bhojpur, at present posted as Panchayat Teacher (Untrained) At Naya Prathmik Vidyalaya, Samudayik Bhawan Bazar, Belaur Panchayat, Udwantnagar, District – Bhojpur.

.... Petitioner- Appellant/s

Versus

1. The State of Bihar through the Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
2. The Secretary, Human Resources Development Department, Government of Bihar at Patna.
3. The Director, Primary Education, Human Resources Development Department, Government of Bihar, Patna.
4. The District Superintendent of Education-Cum-District Programme Co-Ordinator, Bhojpur at Arrah.
5. The Block Education Extension Officer, Udwant Ngar Block, District – Bhojpur.
6. The Block Development Officer, Udwant Nagar Block, District – Bhojpur.
7. The Member, District Panchayat Teacher Niyojan Appellate Authority, Bhojpur at Arrah
8. The Panchayat Secretary, Belaur Panchayat, Udwant Nagar, Bhojpur.
9. Nazia Begam, Mukhiya, Gram Panchayat - Belaur, Udwant Nagar, Bhojpur.
10. Md. Akhlaque S/O Moharram Hussain R/O Village - Sikarhatta Khurd, P.S. - Sikarhatta, District – Bhojpur.
11. Raushan Zehan W/O Md. Riyaz Ahmad R/O Mohalla - Kabai Tola, Nala Road, P.S. - Arrah, District - Bhojpur

.... Respondents- Respondent/s

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Appearance :

For the Appellant : Mr. K. N. Choubey, Senior Advocate
Mr. Siddharth Harsh, Advocate
For the Respondent No.9 : Mr. Rajendra Nath Sinha, Advocate
For the Respondent No.11 : Mr. Bajarangi Lal, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 11-07-2017

Seeking exception to an order dated 08.05.2013 passed by
the Writ Court in CWJC No.6999 of 2010; this appeal has been filed



under Clause 10 of the Letters Patent.

In the matter of appointment of the petitioner, respondent No. 10 Md. Aklaque filed an application before the statutory tribunal constituted for an enquiry into the appointment of Panchayat Teacher and the Tribunal finding that there was no occasion to appoint more than one person on the post for the subject in question, i.e. Urdu, and finding the respondent No.10 to be entitled for appointment, the impugned action was taken. Challenging the impugned action, the writ petition in question was filed and the learned Writ Court found that there is no error in the order appointing respondent No.10 and after a detailed analysis of the issue has refused to interfere into the matter. The order passed by the Writ Court and the reason given by the learned Tribunal in para 10 of the impugned order does not call for any interference into the matter. The appeal being devoid of substance stands rejected.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.07.2017
Transmission Date	

