

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9750 of 2017

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Ramdeo Singh, son of Late Parmeshwar Singh, Resident of Mohalla- Kagazi Tola
Lane Mohaddinagar, P.S.- Muzahidpur, District- Bhagalpur. Petitioner/s
Versus

1. The State of Bihar.
 2. The Principal Secretary, SC/ST Welfare Department, Government of Bihar,
Patna.
 3. The Director, Primary Education, Government of Bihar, Patna.
 4. The District Magistrate, Munger.
 5. The District Education Officer, Munger.
 6. The District Welfare Officer, Munger.
 7. The Headmaster, Government Ambedkar Residential Girls High School,
Munger.
 8. Deepak Kumar, S/o Ganga Das Rajak, Resident of Village- Upharol Ward
No.24, P.O. & P.S.- Barahiya, District- Lakhisarai. Respondent/s
- =====

Appearance :

For the Petitioner/s : Mr. Purushottam Kr. Jha, Advocate
For the Respondent/s : Mr. Sunil Kr.Mandal, SC-3
Mr. Bipin Kumar, AC to SC-3
Mrs. Neelam Kumari, AC to SC-3

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT
Date: 14-03-2018

Heard learned counsel for the petitioner and State.

Mr. Purushottam Kumar Jha, learned counsel for the petitioner, has contended that although the regular teachers have been appointed in the school, in question, but in the district of Munger five vacancies are in the subject of Economics, Geography, Hindi, Sanskrit and Science, whereas the regular teacher appointed is in the subject of History and not in Geography stream to which the petitioner belongs and, as such, he submitted that in absence of appointment of regular teacher in the Geography, the petitioner cannot be replaced by appointment of regular teacher in the subject of history.

Learned counsel for the State submits that looking at the document contained in Annexure-1 (at page 11) it is evidently



clear that the posting of retired teacher was required for the subject Economics, English, Geography, Hindi, History, Mathematics, Physical Education, Sanskrit and Science and in view of the same State has appointed regular teachers in the subject of History and as such the petitioner cannot be allowed to make submission that he has right to continue on the post till Geography teacher is appointed.

The Court is not inclined to interfere in the matter of regular appointment. The Court hopes and trusts that the State authorities are well equipped with the necessary information as to the utilization of the service of the teachers in the school and since the regular appointments have been made to cater the need of students in SC/ST school, in question, no indulgence can be made in the writ application, as the case of other writ petitioners are distinguishable on fact that those teachers were substituted by ad-hoc, but in the present writ application regular teachers were appointed as replacement of the ad-hoc retired teacher, as such this Court does not find any error in the action of the respondents.

Accordingly, this writ application is devoid of merit and it is dismissed.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
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