

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19035 of 2014

Kaushalya Devi W/o Ram Awatar Ram Resident of Village Thorsan, P.O. Torani Lehra, Police Station Kargahar, District Rohtas. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary.
2. The Principal Secretary, Human Resources Department, State of Bihar, Patna.
3. The Secretary, Human Resources Department, Govt. of Bihar, Patna.
4. The Director, Primary Education, Govt. of Bihar, Patna.
5. The District Teacher Niyojan Appellate Pradhikar Rohtas at Sasaram.
6. The Collector-cum-District Magistrate, Rohtas at Sasaram.
7. The District Education Officer, Rohtas at Sasaram.
8. The Block Education Officer, Kargahar, District Rohtas.
9. The Block Development Officer, Kargahar, District Rohtas.
10. The Mukhiya, Gram Panchayat Bhokhari, Block Kargahar, District Rohtas.
11. The Panchayat Sachiv, Gram Panchayat, Bhokhari, Block Kargahar, District Rohtas. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajendra Kumar Deo
For the Respondent/s : Mr. Ga8- Sandeep Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 01-10-2018 This case was earlier listed for admission on different dates but no one appeared on behalf of the petitioner.

As a matter of last indulgence to the counsel for the petitioner, today this case has been listed under the heading for “Dismissal” but even today no one appears on behalf of the petitioner to assist the Court.

The present writ application has been filed by the petitioner for quashing the order dated 21.3.2014 passed by the District Teachers Employment Appellate Authority, Rohtas at Sasaram in Appeal No. 27 of 2013.

From perusal of the impugned order of the District Teachers Employment Appellate Authority, it appears that in pursuance of the order of the High Court in LPA No. 904 of 2012



the petitioner filed review application in case No. 543 of 2009 and the District Teachers Employment Appellate Authority considered the case of the petitioner and on verification of the records and the material available on record held out that the case of the petitioner does not fall within the parameters of review as no new facts has emerged and the petitioner could not place on record of any material which could not have been discovered at the time of decision in Appeal No. 543 of 2009.

The reason assigned by the Appellate Authority in the order dated 21.3.2014 cannot be termed as perverse or without application of mind. Therefore, the Court is not inclined to interfere with the order contained in Annexure-8. However, the dismissal of the writ application and upholding the order of the Appellate Authority in review petition does not dis-entitle the petitioner to approach the Appellate Authority as there is provision of appeal against the decision of the District Teachers Employment Appellate Authority against the original order dated 16.7.2012.

With the aforesaid, the writ petition stands dismissed.

(Anil Kumar Upadhyay, J)

Ravi/-

U			
---	--	--	--

