

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21843 of 2014

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Ram Ji Ram, Son of Mishri Ram R/o Village Khedarpur, P.S. Dalsingsarai,
District Samastipur, Presently posted as Assistant Teacher, in upgraded
Middle School Kewta, Dalsingsaraia, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director, Research and Training , Education Depart, Bihar Patna.
3. The District Magistrate, Samastipur,
4. The District Educational Officer, Samastipur.
5. District Programme Officer, Primary Education and Sarvashiksha Abhiyan,
District Samastipur.
6. Block Educational Officer, Dalsigh Sarai, District Samastipur.
7. Principal of District Education and Training Centre , Pusa Samastipur.
8. Suman Kumari D/o not know, resident of village Nagargama, P.S. Dalsingh
Sarai, District Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s : Mr. Jai Shankar Barnawal, GA-5

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 05-10-2018

This writ application was filed on 19.12.2014, approximately four long years back, when the case was listed for hearing, no one appeared on behalf of the petitioner. In order to facilitate the counsel for the petitioner to assist the court, today, the case has been listed under the heading for dismissal but unfortunately today also no one has appeared to assist the court. Under the compelling circumstances, the Court is



constrained to decide the writ application on the basis of material available on the record.

2. From perusal of record, it appears that petitioner has filed the present writ application for a direction to the respondents to select the petitioner on the post after cancelling the selection of the respondent no. 8, who was selected as Co-ordinator (C.R.C.C.) for the centre, Upgraded Middle School, Kewata, Block- Dalsingsarai.

3. Considering the fact that the issue of deputation of teachers as C.R.C.C. was in fact considered by this Court in CWJC No. 497 of 2018 (Rajiv Kumar Mishra & Ors. vs. The State of Bihar & Ors.) along with other analogous cases and it has held out that a deputationist has no right to retain the post on deputation and considering the fact that vide subsequent policy decision, the State Government has changed the eligibility criteria, no indulgence can be granted. The said decision of this Court was affirmed by the Apex Court.

4. In view of the above, no indulgence can be granted in the present proceeding.

5. The Court does not find any justification to enter into the factual controversy involved in the instant case, as by efflux of time the issue has now become academic. The writ



application is accordingly dismissed as it loses its significance with the passage of time.

(Anil Kumar Upadhyay, J)

suji/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

