

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 1480 of 2015

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Kadam Kumar, Son of Sri Kalyan Baitha, Resident of Village- Kataru, P.O.-
Chhap, P.S.- Paru, District- Muzaffarpur (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Human Resources Development Department, Government of Bihar, New Secretariat, Vikash Bhawan, Bailey Road Patna-800001.
2. The Hon'ble Presiding Officer/Member, District Teacher Employment Appellate Tribunal, Rambag, Muzaffarpur.
3. The Collector/District Magistrate-cum-Chairman, Bihar Shiksha parijojna, Muzaffarpur.
4. The Block Development Officer, Sahebganj, District:- Muzaffarpur.
5. The Block Education Extension Officer, Sahebganj, District- Muzaffarpur.
6. The Secretary-cum-Panchayat Sevak, Paharpur Manorath Panchayat, Block - Sahebganj, District- Muzaffarpur.
7. The Mukhiya, Paharpur Manorath Panchayat, Block:- Sahebganj, District- Muzaffarpur.
8. Lal Babu Ram, Son of Sri Ram Chartira Ram, Resident of Village- Sahdulpur, P.O.- Jagdishpur, P.S.- Sahebganj, District- Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 06-08-2018

Heard learned counsel for the petitioner and State.

2. The petitioner has moved the Court for the following



reliefs :

“(i) For issuance of a writ/writs, order/orders, direction/directions to the respondents by issuing a writ in the nature of Certiorari for quashing both the orders dated 24.12.2011 and the order dated 05.12.2014 as contained in Annexures-7, 8 & 13 respectively passed by the Respondent No. 2, by which the complaint petition of the petitioner has been rejected which was filed for the issuance of the appointment letter as a Panchayat Teacher in Paharpur Manorath Panchayat, Sahebganj Block, District- Muzaffarpur without considering the case of the petitioner properly and order has been passed in favour of the respondent no. 8 without considering that the certificate of the Respondent no. 8 is not genuine as per List issued by the Government, which can be verified and even on the basis of Certificate of Intermediate from Bihar Intermediate Education Council, the petitioner has obtained higher marks than the respondent no. 8.

(ii) For issuance of a writ in the nature of mandamus for direction to the respondents to forthwith issue appointment letter to the petitioner as a Panchayat Teacher in the Paharpur Manorath Panchayat, Sahebganj Block, District- Muzaffarpur.

(iii) For issuance of such other writ or writs as your lordships may deem fit and proper in the facts and circumstances of the case.”

3. After hearing the parties for sometime, as there is already a State Appellate Forum, which is competent to hear appeal arising out of order passed by the District Teachers Employment Appellate Authority, the Court deems it appropriate to remand the matter to such Forum.



4. Accordingly, the writ petition stands disposed off with liberty to the petitioner to move before the State Appellate Authority. If such an appeal is filed within one month from today, the same shall be considered and disposed off on merits, expeditiously and within the statutory period.

(Ahsanuddin Amanullah, J.)

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