

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1312 of 2017

In
Civil Writ Jurisdiction Case No.1245 of 2015

=====

Mahesh Prasad Son of Late Krit Narayan Prasad Resident of village -
Naugarh, P.O. - Asarhi, PS - Hilsa, District Nalanda.

... .. Appellant

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The Regional Deputy Director of Education, Saran Division, Chapra.
5. The Regional Deputy Director of Education, Patna.

... .. Respondents

=====

Appearance :

For the Appellant	:	Mr. D.K.Sinha, Senior Advocate
		Mr. Bajarangi Lal, Advocate
For the Respondent/s	:	Mr. Ashutosh Ranjan Pandey, AAG-15

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date : 07-05-2018

Heard learned senior counsel for the appellant and
learned Additional Advocate General No.15 for the State.

The facts speaks for itself. The reason why the learned
single Judge refused to pass any order in favour of the appellant
was because he did not come within the zone of consideration of
the list of 903 candidates, which were shortlisted for appointment
as Assistant Teacher.

Merely because some kind of an effort was made to
show that they were somewhere in the list, may be the wait list,



that may not be good enough for success for the reason that no candidate beyond 903 were required to be appointed and selected.

Since the manner in which such appointments were done on the post of Assistant Teacher then was also matter of enquiry by the Vigilance etc. and it was found that not everything was honky dory in the manner of such appointments. That too casts its shadow on the appointment or claim for appointment.

In view of the above factual position and controversial facts, this Court is not inclined to interfere with the impugned order dated 16.08.2017 passed by a learned single Judge in C.W.J.C. No. 1245 of 2015.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
Uploading Date	09.05.2018
Transmission Date	N/A

