

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15408 of 2014

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Vijay Kumar, son of Ram Sohag Rai, resident of Village and P.O.- Mahesha Farakpur, P.S.- runnisaipur, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Education Department, Government of Bihar, Patna.
4. The District Magistrate, Sheohar, District- Sheohar.
5. The District Teacher Appointment Appellate Authority, Sheohar, District- Sheohar through the Presiding Officer.
6. The District Education Officer, Sheohar, District- Sheohar.
7. The District Program Officer (Establishment), Sheohar, District- Sheohar.
8. The Block Development Officer, Tariyani, District- Sheohar.
9. The Block Education Officer, Tariyani, District- Sheohar.
10. The Mukhiya, Gram Panchayat Raj, Belahia, Block- Tariyani, District- Sheohar.
11. The Panchayat Secretary, Gram Panchayat Raj, Belahia, Block- Tariyani, District- Sheohar.
12. Amit Kumar, son of Kedar Rai, resident of Village- Kotha, P.S.- Tariyani, District- Sheohar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 26-09-2018

Heard learned counsel for the petitioner and State.

2. The present writ application has been filed by the petitioner for a direction to the respondents to comply the order dated 25.01.2014 passed by the District Teachers Employment Appellate Authority in case no. 168 of 2009. The Appellate Authority on consideration of the facts and circumstances held out that the selection process was vitiated and as such directed the Employment Unit to



conduct fresh selection process following the roster and after verification of the records of all the applicants.

3. From the order of the Appellate Authority (Annexure-7) it appears that the Appellate Authority held out that the Panchayat Secretary Ram Bharos Singh was not validly appointed as Panchayat Secretary and as such held out that the appointment of Renu Kumari, Rupa Kumari, Sangeeta Kumari, Gunja Kumari, Renu Kumari, Amit Kumar, Chhote Lal Baitha and Sumitra Kumari was not valid and as such the Appellate Authority set aside the appointment and directed the Employment Unit to take steps for fresh selection after verification of the records of all the candidates.

4. After filing of the writ application neither the petitioner has filed any additional affidavit to place on record the subsequent development after the order dated 25.01.2014 (Annexure-7) nor the respondents have filed any counter affidavit.

5. Under the aforesaid circumstance, the writ application is disposed of with a direction to the District Programme Officer (Establishment), Sheohar to verify whether the decision of the District Teachers Employment Appellate Authority, Sheohar (Annexure-7) has been acted upon or not and if same has not been acted, the District Programme Officer (Establishment), Sheohar has to see that the same is implemented within a period of four months from



the date of receipt/production of a copy of this order, if the same is not otherwise reversed by any competent Court or Authority.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.09.2018
Transmission Date	

