

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.145 of 2018

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Banarsi Kumar Sahani, S/o Shri Lakshman Sahani, resident of village + P.O. Sembhuapur, P.S. Dumariaghat, Block Kesharia, District- East Champaran, Motihari

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Education Department, Government of Bihar, New Secretariat, Patna
3. The Director, Primary Education, Government of Bihar, New Secretariat, Patna
4. The District Education Officer, East Champaran at Motihari, District East Champaran at Motihari
5. The District Programme Officer (Establishment), East Champaran at Motihari, District East Champaran at Motihari
6. The Block Education Officer, Keshariya District East Champaran at Motihari
7. The Mukhiya Gram Panchayat Raj Semwapur, Block Keshariya District East Champaran at Motihari
8. The Panchayat Secretary, Gram Panchayat Raj Semwapur, Block Keshariya District East Champaran at Motihari
9. The District Teachers Employment Appellate Authority, East Champaran at Motihari through the Presiding Officer, District East Champaran at Motihari
10. Kumari Ponam, wife of Sri Amit Kumar Pandey, Resident of village and PO Dumariya Ghat, P.S. Dumariya Ghat, District East Champaran at Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anand Kishore Choudhary, Advocate
For the State	:	Mr. Prabhat Ranjan Singh, AC to AAG-15
For pvt. Resp.	:	Mr. SBK Mangalam, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 21-06-2018

Office objection overruled.

2. The present civil review application has been filed for a clarification that in the judgment dated 2.5.2018 passed in



CWJC No. 977 of 2018. This Court has passed the following order:

“Heard learned counsel for the petitioner and State.

The petitioner is aggrieved by non-implementation of the decision of the District Teachers Employment Appellate Authority, East Champaran, Motihari.

The decision of the District Teachers Employment Appellate Authority, East Champaran, Motihari is meant for implementation and the respondents have no business to sit in appeal against the decision of the District Teachers Employment Appellate Authority. They have the option either to gracefully implement the decision of the District Teachers Employment Appellate Authority in its letter and spirit or to assail the same before the appropriate forum/Court, but in no case they can sit in appeal and defy the decision and direction passed by the District Teachers Employment Appellate Authority.

Under the aforesaid background, the Court directs the respondents to implement the decision of the District Teachers Employment Appellate Authority passed in Appeal Case No. 992 of 2016 in its letter and spirit and grant all consequential benefit to the petitioner within a maximum period of 60 days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ application stands disposed of.”

3. It appears from the order that the apprehension expressed by the counsel for the petitioner is totally misconceived.



This Court has not passed any order adversely affecting the interest of either party. The Court simply observed that the order of the District Teachers Employment Appellate Authority, East Champaran, Motihari passed in Appeal Case No. 992 of 2016 is to be implemented in its letter and spirit. This has to be understood by all concerned and there is no ambiguity which requires indulgence in the present review application.

4. It is needless to state that this Court has not made any modification or interfered with the order of the District Teachers Employment Appellate Authority and as such nothing is required to be added or modified in the order impugned. It has to be implemented as it is.

5. With the aforesaid, the review application stands disposed of.

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.06.2018
Transmission Date	

