

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 21338 of 2018

Sudhir Kumar, son of Prameshwar Prasad, Resident of Modanganj, Police Station – Ghosi, District - Jehanabad

... .. Petitioner/s

Versus

- 1 The State Of Bihar through Principal Secretary, Department of Education, Government of Bihar, Patna
- 2 The Director, Primary Education, Government of Bihar, Patna
- 3 The State Project Director, Bihar Education Project Council, Shiksha Bhawan, Rashtrabhasha Parishad Campus, Saidpur, Rajendra Nagar, Patna-4
- 4 The Regional Deputy Director of Education, Magadh Division, Gaya
- 5 The District Education Officer, Jehanabad
- 6 The District Programme Officer, (Serb Siksha Abhian), Jehanabad
- 7 The Block Education Officer, Modanganj Block, District – Jehanabad
- 8 Jitendra Kumar, son of Basant Prasad, Resident of Village – Bandhuganj Dih, Police Station – Ghosi, District - Jehanabad

... .. Respondent/s

For the Petitioner/s : Mr Narendra Kumar, Advocate
For the State : Mr Abhanjali, AC to GA XII

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 28-11-2018

Learned counsel for the petitioner submits that he has assailed the selection/appointment of respondent No 8 as Sankul Sansadhan Kendra Samanbyak (for brevity, *CRCC*) made under order dated 08.08.2018 bearing Memo No 1243 issued under the joint signature of District Education Officer -cum- Chairman, District Selection Committee, Jehanabad and the District Programme Officer -cum- Secretary, District Selection Committee, Primary Education and Serb Shiksha Abhiyan, Jehanabad. It is his submission that as per the provisions contained in the Guidelines of 2017 (*Annexure 5*), the Regional Deputy Director of Education (for brevity, *RDDE*) is obliged to



dispose of the petitioner's appeal within 30 days. Though the appeal has been filed on 21.08.2018, the appeal is still pending. The petitioner, in view of the circumstance, has also approached the final appellate authority being the Project Director, Bihar Education Project Council, Patna.

Since the guidelines prescribed the final appeal is subsequent upon the order passed by the RDDE, this Court would observe that the RDDE, Magadh Division, Gaya should dispose of the petitioner's appeal within a period of 15 days from the date of receipt/production of a copy of this order since the time of 30 days prescribed for disposing of the appeal lapsed about three months back. The petitioner's appeal dated 07.09.2018 before the final authority shall not stand in the way of the RDDE to dispose of the appeal.

Needless to say that the petitioner would be entitled to avail the remedy of final appeal after disposal of his appeal by the RDDE, Magadh Division, Gaya in accordance with law.

The writ petition is disposed of with the aforesaid direction.

(Madhuresh Prasad, J)

M.E.H./-

U			
---	--	--	--

