

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13137 of 2018

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Subhash Kumar, Son of Shri Nageshwar Prasad Yadav, Resident of Village- Sahugarh, Dulharam Tola, Ward No.8, Police Station- Madhepura, District- Madhepura.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. The District Magistrate, Madhepura.
4. The District Education Officer, Madhepura.
5. The District Programme Officer, Madhepura.
6. The Block Development Officer, Kumarkhand, District- Madhepura.
7. The Block Education Officer, Kumarkhand, District- Madhepura.
8. The Panchayat Secretary, Gram Panchayat, Laxmipur-Chandi Sthan within Kumarkhand Prakhand, District- Madhepura.
9. The District Appellate Authority, Madhepura, through its Member.
10. Shri Sushil Kumar, Son of Shri Kusumlal Prasad Yadav, Resident of Village- Sahugarh, Diwani Tola, Police Station- Madhepura, District- Madhepura.
11. Ramdeo Paswan, Son of Late Newajee Paswan, The then Panchayat Secretary, Gram Panchayat, Laxmipur-Chandi Sthan within Kumarkhand Prakhand, District- Madhepura.
12. Bechan Resideo, Son of Late Nanahku Resideo, Elected Mukhia of Gram Panchayat, Laxmipur-Chandi Sthan in between 2006-2011 within Kumarkhand Prakhand, District- Madhepura.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Singh

For the Respondent/s : Mr. Smt. Shilpa Singh- GA12

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-08-2018 Heard the parties.

Following reliefs have been sought for in the present writ application on behalf of the petitioner:

“For issuance of an appropriate writ
/writs, order/orders, direction/directions,



rule or command, especially in the nature of 'CERTIORARI' quashing the order, dated 25-07-2017 passed by Respondent No. 9 in Appeal No. 06 of 2017 whereby and whereunder the Appeal filed by the petitioner has been rejected at the admission state itself on the sole ground of limitation without going into the merits of the case or the issues involved in the matter. The petitioner further prays for a direction to the respondents to ensure the employment of the petitioner on the post of Panchayat Teacher under the jurisdiction of Gram Panchayat, Laxmipur-Chandi Sthan in the Kumarkhand Block within Madhepura district under the reserved category after cancellation of the employment of respondent No. 10 who has been provided employment without counseling, moreover, having no place in the merit-list prepared by the concerned



employment unit as reportedly the entire records in connection with the employment is traceless as communicated by the present Panchayat Secretary of the concerned Gram Panchayat”.

Considering the facts and circumstances of the case, the petitioner is directed to prefer a statutory appeal before the State Appellate Authority, within a period of thirty days from the date of order and the same shall be disposed of by the State Appellate Authority within the statutory period, in accordance with law.

With the aforesaid observation/direction, the present writ application stands disposed of.

(Sudhir Singh, J)

A.K.V./-

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