

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6463 of 2019

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1. Surendra Kumar, Son of Hem Narayan Thakur, Resident of Village- Muraitha, P.S.- Jale, District- Darbhanga.
 2. Devesh Saurabh, Son of Buddhi Nath Jha, Resident of Village- Sursand, P.S.- Sursand, District- Sitamarhi.
 3. Naveen Kumar, Son of Ram Narayan Rai, Resident of Village- Pachpaika, P.S.- Ujiyarpur, District- Samastipur.
 4. Vijay Kumar, Son of Sitaram Sah, Resident of House No.19, Naranga Tola, Lakshmipur, P.S. Sitamarhi, District- Sitamarhi.

... .. 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, Patna.
3. The Director, Secondary Education, Education Department, Government of Bihar, Patna.
4. The Deputy Director, Education Department, Bihar, Patna.
5. The District Magistrate, Sitamarhi, District- Sitamarhi.
6. The District Education Officer, Sitamarhi, District- Sitamarhi.
7. The District Programme Officer (Secondary Education), Sitamarhi, District- Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Singh
For the Respondent/s : Mr.Madanjeet Kumar (Gp20)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 13-08-2019 Heard learned counsel for the petitioners and the respondents.

The grievance of the petitioners in the present writ application is non-consideration of their cases for appointment as guest faculty.

Learned counsel for the petitioners submits that in the



process of selection, every formality was completed by the respondents.

A counter affidavit has been filed on behalf of respondent nos. 6 and 7 and in para 5 the following stand has been taken:

“5. That with regard to above contentions made by the petitioners, it is most respectfully submitted that in the light of letter No. 09/वि०वि० ष०स०09/2015 264 (Vide Annexure-P-2 to this Writ petition), all the due procedures have been adopted by the respondents concerned and by its committee for the selection of Guest Teachers and was finally prepared a list of 7 candidates with respect to subject such as Math, Physics and Chemistry. Thereafter, the said list was sent to Director, Secondary Education, Patna (Bihar) for its recommendation and necessary direction by vide its letter No.-1409 dated 31.08.2018 by D.E.O., Sitamarhi.

It is further submitted that another letter for the same was also sent by D.E.O. Sitamarhi to Director, Secondary Education, Patna (Bihar) by vide its letter No-1410 dt. 04.09.2018. And thus respondent authority concerned are very sincere in performing their duty in accordance with law/rule. Under such situation the petitioners should have to wait for further order / direction from Director, Secondary Education, Patna (Bihar). And thereafter if aggrieved by the order / direction concerned, they could have knocked at the gate of this Hon'ble High Court but they failed to do so and filed the instant



Writ petition which is premature and liable to be rejected.”

Considering the stand taken by the respondents, the writ application is disposed of with a direction to take appropriate decision with regard to appointment of guest faculty in the district of Sitamarhi at the earliest preferably within a period of two months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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