

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.655 of 2017

In
Civil Writ Jurisdiction Case No.7179 of 2014

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Sanjeev Kumar Son of Sri Singheshwar Prasad R/o Village - Dakshnini South
Dhamaun, P.S. Patory, District - Samastipur.

... .. Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary, Education Department,
Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The Member, District Teacher Employment Appellate Authority, Samastipur,
Distt. Samastipur.
4. The District Education Officer, Samastipur, Distt. - Samastipur.
5. The District Programme Officer, Samastipur, Distt. Samastipur.
6. The Block Education Officer, Mohanpur, Distt. Samastipur.
7. The Block Development Officer, Mohanpur, Distt. Samastipur.
8. The Block Pramukh, Mahanpur, Distt. - Samastipur.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Mrityunjay Kumar, Advocate
For the Respondent/s : Mr.Ashutosh Ranjan Pandey- AAG15

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)

Date : 24-09-2019

Counter affidavit filed today on behalf of the respondents

be kept on record.

Heard learned counsel for the appellant and learned
counsel for the State.

The grievance raised by the appellant is that pursuant to
advertisement no. 99 of 2008 for the posts of block teacher
against 22 vacancies, 12 persons were appointed and rest 10



vacancies remained unfilled out of which 1 post is reserved for UR categories, 1 for BC categories and rest posts are for other categories which are not connected with the present appellant as the appellant belongs to SC categories.

After the advertisement the applications were to be filled up within 09.08.2010 to 14.08.2008 and counselling was conducted on 24.01.2009. On the same day i.e. 24.01.2009, merit list was prepared in which the name of the appellant has been claimed to be at serial no. 10. After that the government had issued a letter that all appointments has to be completed by 12.08.2010 and after that no appointment will be treated to be a valid appointment.

Counsel for the appellant submits that he has illegally been deprived but nowhere he has stated that those persons who have been appointed are holding lower marks to this appellant.

Inasmuch as the last appointment has been made on 12.10.2010 and he has approached the tribunal after two years in appeal vide Appeal no. 541 of 2011, by that time the entire unfilled vacancies has been carry forward and a new criteria has been laid down for selection of the Panchayat Teacher/Block Teacher and he has also not stated about the merit position of the appellant with respect to the UR candidate or BC candidate,



there is no question of giving a direction to the respondents for recruitment/appointment of the appellant.

Accordingly, this Court finds no merit in the appeal. The same is dismissed.

(Shivaji Pandey, J)

(Partha Sarthy, J)

Prakash/-

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