

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4593 of 2018

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1. Sunil Rajak Son of Shiv Kumar Rajak Resident of the Assistant Teacher, High School, Nadwan Halsi, P.S.- Halsi, District- Lakhisarai.
 2. Abhay Paswan Son of late Dhaneshwar Paswan Assistant Teacher , Uchcha Vidyalalya Wallipur, P.S.- Pipra, District- Lakhisarai.
 3. Gulam Ram@ Gulzari Ram Son of Bansi Ram Assistant Teacher , Uchcha Vidyalalya Ramchandrapur, P.S.- Pipra, District- Lakhisarai.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Chairman, the State Appellate Authority, Education Department, 5C-D, Niyojan Bhawan, Bailey Road, Patna-1
3. The Director, Secondary Education , Bihar, Patna.
4. The District Magistrate, Lakhisarai.
5. The Chief Executive Officer, Zila Parishad, Lakhisarai-cum-D.D.O. , Lakhisarai, District- Lakhisara
6. Zila Parishad-Cum-Member Secretary, Zila Parishad, Lakhisarai.
7. The District Education Officer, Lakhisarai.
8. The District Programme Officer Establishment, Lakhisarai.
9. The Zila Parishad, Secondary Teacher Appointment Appellate Authority, Lakhisarai.
10. Uma Shankar Rajak Son of Bijay Gopal Rajak Resident of Village- Mohalla- Jaiy Prakash Market, Thana Chowk, P.S. Lakhisarai, District- Lakhisarai.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Indu Bhushan, Advocate
For the State	:	Smt.Shilpa Singh -GA-12
		Mr. Ranjan Kumar, AC to GA-12
For resp No. 10	:	Mr. Bijay Kumar Pandey, Advocate
		Mr. Mukesh Kumar, Advocate
		Mr. Neeraj Nandan, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

5 22-07-2019 Heard learned counsel for the petitioners and learned

counsel appearing on behalf of the respondents including the

State.



The petitioners have challenged the decision of the State Appellate Authority in Appeal No. 98 of 2017 dated 8.2.2018.

Learned counsel for the petitioners would submit that the petitioners appeared at the second round of counseling in the second phase. In the first round the candidates failed to respond to the offer of job and did not participate in the counseling. He submitted that submission of the petitioners was totally ignored by the State Appellate Authority while deciding the appeal.

From perusal of the writ petition, it appears that there is no averments that specific submission of the petitioners was not taken note by the State Appellate Authority.

The petitioners have filed a supplementary affidavit today after more than one year and three months and now they contend that their entire case is based on supplementary affidavit. The supplementary affidavit on the face of it appears to be an afterthought and the petitioners have tried to fill in the lacuna in their case. The State Appellate Authority on consideration of the entire materials has held out that merits of the candidates was ignored in the process of selection and that is why the State Appellate Authority directed the Employment Unit to undertake entire exercise afresh for appointment against



the post of cancelled employment of the candidates who have less marks.

The Court on consideration of the entire materials available on record and discussions made in the order of the State Appellate Authority, does not find any merit. The writ petition is, accordingly, dismissed.

(Anil Kumar Upadhyay, J)

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