

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23386 of 2019

1. Md. Mojib @ Md. Mozib son of Md. Ali Akhtar Resident of Village- Hasanpur Kirat, P.O.- Muktapur, P.S. Kalyanpur, District- Samastipur.
2. Soni Kumari Daughter of Ashok Paswan Resident of Village- Hasanpur Kirat, P.O.- Muktapur, P.S. Kalyanpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The Principal Secretary, Education Department Govt. of Bihar, Patna.
2. The District Collector, Samastipur.
3. The Additional Collector, Samastipur.
4. The District Education Officer, Samastipur.
5. The District Programme Officer (Establishment), Samastipur.
6. The Block Development Officer, Kalyanpur, Samastipur.
7. The Block Education Officer, Kalyanpur, Samastipur.
8. The Block Pramukh, Primary Teacher Employment Committee, Kalyanpur, Samastipur.
9. The District Teacher Employment Appellate Authority, Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Md. Ataul Haque
For the Respondent/s : Mr.Madhaw Prasad Yadaw (GP 23)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL JUDGMENT

Date : 11-12-2020

Heard Mr. Md. Ataul Haque, learned counsel appearing for the petitioners and Mr. Madhaw Prasad Yadaw, learned GP 23 through Video Conferencing.

Even after repeated adjournments learned counsel for the State failed to file counter affidavit but from perusal of the record, it transpires that the petitioners earlier moved before the State Appellate authority for a direction to the respondents for appointment of the petitioners against the vacancy of 2008. The State Appellate



authority directed the respondents to consider the case of the petitioners against the vacancy of 2008 but the respondents did not consider the case of the petitioners. Petitioners again filed Petition No. 04 of 2019 before the State Appellate authority for initiation of contempt proceeding in which Block Development Officer, Kalyanpur reported that only 18 vacancies were available and 18 persons had already been appointed and as such the aforesaid case was disposed of as no ground for further action is required.

Learned counsel for the petitioners submits that on the basis of concealment of fact by the Block Development Officer, State authority passed order on 13.09.2019.

If any order is passed by the Appellate authority on concealment of fact, petitioners may approach first Appellate authority for redressal of their grievance that order dated 13.09.2019 is passed on concealment of fact.

Writ petition is disposed of with liberty to the petitioners to file appropriate petition before the State Appellate authority for redressal of their grievance.

Writ petition stands disposed of accordingly.

(Prabhat Kumar Jha, J)

s.hassan/-

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CAV DATE	
Uploading Date	15.12.2020
Transmission Date	

