

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1338 of 2021

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Savita Kumari D/o Shri Raghubansh Prasad Singh, R/o Village - Harsingpur,
P.S. Sarairanjan, District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Magistrate, Samastipur, District - Samastipur.
5. The District Education Officer, Samastipur, District - Samastipur.
6. The District Programme Officer, (Establishment) (Education), Samastipur, District - Samastipur.
7. The Block Development Officer, Block - Sarairanjan, District - Samastipur.
8. The Block Education Officer, Block - Sarairanjan, District - Samastipur.
9. The Panchayat Secretary-cum-Secretary, Panchayat Teachers, Employment Unit, Gram Panchayat Raj Jitwarpur Kumhira, Block - Sarairanjan, District - Samastipur.
10. The Mukhiya cum- Chairman, Panchayat Teachers Employment Unit, Jitwarpur Kumhira, Block - Sarairanjan, District - Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar, Adv.

For the Respondent/s : Ms. Abhanjalli, AC to GA-12

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-03-2021 The present petition has been filed for quashing the order dated 25.11.2019 passed by the State Appellate Authority, Bihar, Patna in Appeal (Case) No. 247 of 2019, whereby and whereunder the Appeal has been dismissed on account of the fact that the Hon'ble Patna High Court has already held the



entire selection process in question to be vitiated, by a judgment dated 28.04.2015 passed in CWJC No. 14912 of 2010, and in pursuance thereof, the Panchayat employment unit Jitwarpur Kumhira has already cancelled the employment of all Panchayat teachers including that of the petitioner herein.

At this juncture, the learned counsel for the petitioner has pointed out that some teachers are still working who were selected and appointed pursuant to the selection process pertaining to the year 2006-2010.

Having regard to the facts and circumstances of the case and taking into account the judgment dated 28.04.2015 passed by a co-ordinate Bench of this Court in CWJC No. 14912 of 2010 (Amarnath Roy vs. The State of Bihar & Ors.), whereby and where-under the entire selection process in question has been held to be vitiated and it has been held that no right shall accrue in favour of any person pertaining to the said selection process, this Court finds that the matter which has already been set at naught by a co-ordinate Bench of this Court cannot be re-opened. Nonetheless, liberty is granted to the petitioner to take recourse to such other remedies as are available in law, for the purposes of assailing the appointment of such teachers, who have been appointed in pursuance to the selection process in



question, which has been held to be vitiated.

(Mohit Kumar Shah, J)

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