

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12203 of 2018

1. Ganesh Dat Singh and Ors son of Late Prakash Singh resident of Village - Pindrauni, P.O. - Rajhat, P.S. - Akbarpur, District - Nawada.
2. Navnit Kumar son of Ramanand Singh resident of Village - Kurkihar, P.O. - Kurkihar, P.S. - Wazirganj, District - Gaya.
3. Ranjan Pandey son of Vijay Pandey resident of Village P.O. - Madana, P.S. - Shekhpura, District - Shekhpura.
4. Sunita Kumari D/o Shyamdeo Prasad Yadav resident of Village - Paijana, P.O. Daharpur, P.S. - Akbarpur, District - Nawada.
5. Birendra Ravidas s/o Musafir Ravidas resident of Village P.O. - Bar Raji, P.S.- Kaukul, District - Nawada.
6. Rupam Rai S/o Prayag Prasad resident of Village - Pati, P.O. - Rajhat, P.S.- Akbarpur, District - Nawada.
7. Santosh Kumar S/o Barhmdeo Chaudhary resident of Village - Akbarpur, P.O. Rajhat, P.S. - Akbarpur, District - Nawada.
8. Chitranjan Kumar S/o Birendra Singh resident of Village - Chobra, P.O. Chobra, P.S. - Tankupa, District - Gaya.
9. Santosh Kumar S/o Bishundeo Paswan resident of Village - Shiv Nagar, P.O. P.S. District - Nawada.
10. Prakash Kumar S/o Surendra Prasad Gupta resident of Village P.O. P.S. - Kadirganj, District - Nawada.
11. Mamta Kumari D/o Brahmdeo Prasad resident of Village P.O. P.S. - Parma, District - Nawada.
12. Sanjay Kumar S/o Ramkishun Yadav resident of village - Beldhar, P.O. - Sonsehari, P.S. - Muffasil, District - Nawada.
13. Bhola Kumar S/o Jagdish Singh resident of Village - Thekhahi, P.O. - Sherpur, P.S. Sirdala, District - Nawada.
14. Ranjeet Singh S/o Jay Kumar Singh resident of Village - Kanti, P.O. - Kanti, P.S. - Fatehpur, District - Gaya.
15. Meena Kumari D/o Vijay Kumar Chaudhary resident of Village - Dhab, P.O. - Rajauli, P.S. - Sirdala, District - Nawada.
16. Ramanand Kumar @ Ramanand Prasad S/o Bhatu Mahto resident of Village - Buhera, P.O. - Samarihiganj, P.S. Warsaliganj, District - Nawada.
17. Amlesh Kumar S/o Suraj Deo Prasad resident of Village - Supaul, P.O. - Nemdraganj, P.S. - Akbarpur, District - Nawada.
18. Umesh Kumar S/o Prabhu Chaudhary resident of Village - Pathra English, P.O. - Audhanpur, P.S. - Muffasil, District - Nawada.
19. Pushpa Kumari D/o Rajendra Prasad resident of Village P.O. - Nemdraganj, P.S. Akbarpur, District Nawada.
20. Anupma Kumari D/o Rajendra Prasad resident of Village P.O. - Nemdraganj, P.S. - Akbarpur, District - Nawada.



21. Rajiv Kumar S/o Vinod Prasad resident of Village P.O. - Nemdraganj, P.S. Akbarpur, District - Nawada.
22. Avinash Kumar S/o Preman Mahto resident of Village - Baksanda, P.O. - Baksanda, P.S. - Akbarpur, District - Nawada.
23. Mahesh Kumar S/o Prakash Singh resident of Village - Pindrouni, P.O. Rajnat, P.S. - Akbarpur, District - Nawada.
24. Rubi Kumari D/o Rajendra Ram resident of Village - Ghashibigha P.O. Pithauri, P.S. Akbarpur, District Nawada.
25. Kanhaiya Lal Nirala S/o Ramswaroop Yadav resident of Village Saraiya Gopalpur, P.O. Derma, P.S. Akbarpur, District Nawada.
26. Indradeo Kumar S/o Bhagwat Prasad resident of Village - Beldhar, P.O. - Sonesihari, P.S. - Muffasil, District - Nawada.
27. Ravindra Kumar S/o Mahesh Prasad resident of Village - Koluhawar, P.O. Etpakawa, P.S. - Kaukol, District - Nawada.
28. Shrikant Prasad Nirala S/o Jageshwar Paswan resident of Village - Rupow, P.O. P.S. - Rupow, District - Nawada.
29. Shobha Kumari D/o Jugal Manjhi resident of Village - Sudama Nagar Nawada, P.O. P.S. District - Nawada.
30. Imamul Haque S/o M.S. Arshadul Kadri resident of Village - Bari Dargah, P.O. P.S. District - Nawada.
31. Vinay Kumar S/o Tulsi Prasad resident of Village Kharaund, P.O. - Sherpur, P.S. - Sirdala, District - Nawada.
32. Pravesh Kumar S/o Devendra Prasad resident of Village - Tilak Bigha, P.O. - Rajhat, P.S. - Akbarpur, District - Nawada.
33. Ashok Prasad S/o Kameshwar Prasad Singh resident of Village - Mirchak, P.O. - Mosama, P.S. - Warsaliganj, District - Nawada.
34. Rajesh Kumar S/o Ramlakhan Chaudhary resident of Village - Tajpur, P.O. - Dumari, P.S. - Roh, District - Nawada.
35. Anil Kumar Chaudhary S/o Barhmdev Chaudhary resident of Village - Turukban, P.O. - Dhamaul, P.S. - Dhamaul, District - Nawada.
36. Seema Kumari D/o Banke Singh resident of Village - Bindidin, P.O. Bindidin, P.S. Silav, District - Nalanda.
37. Rampravesh Kumar S/o Arjun Prasad resident of Village - Shatipur, P.O. Koshumhar, P.S. - Akbarpur, District - Nawada.
38. Niraj Kumar Sinha S/o Shiv Nandan Prasad Sinha resident of Village P.O. - Teyar, P.S. Akbarpur, District - Nawada.
39. Jwala Prasad S/o Ambika Prasad resident of Village - Malgodam Patel Nagar Nawada, P.O. P.S. District - Nawada.
40. Ranjeet Prasad Singh S/o Birendra Singh resident of Village - Chandinawa, P.O. P.S. - Kashichak, District - Nawada.
41. Sanjiv Kumar S/o Bhola Saw resident of Village P.O. - Sagri, P.S. - Nardiganj, District - Nawada.
42. Ranjeet Kumar S/o Nageshwar Singh resident of Village - Koluhawar, P.O. -



Itpakwa, P.S. - Kaukol, District - Nawada.

43. Abudal Gayas Khan S/o Allauddin Khan resident of Village - Bhaluaahi, P.O. - Bhaluaahi, P.S.Kaukol, District Nawada.
44. Md. Hela Ahmed Khan S/o Late Md. Jalaluddin Khan resident of Village - New Millat Basti Bhadauni, P.O. Gendapur, P.S. District - Nawada.
45. Sangeeta Kumari D/o Ramchandra Prasad resident of Village - Kujap, P.O. Kunjapee, P.S. - Chandauti, District - Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Department of Education, Government of Bihar, Patna.
4. The District Magistrate, Nawadah.
5. The District Teachers Appointment Appellate Authority, Nawadah through its Member Secretary.
6. The Presiding Officer, District Teachers Appointment Appellate Authority, Nawadah.
7. The Selection Committee of Panchayat Samiti, Akbarpur, Nawadah, District - Nawadah.
8. The Block Development Officer, Akbarpur Cum Executive Officer, Block Panchayat Samiti, Akbarpur, Na
9. The Block Education Officer, Akbarpur Block, Akbarpur, Nawadah.
10. Shravan Kumar son of Ram Narain Singh resident of Village - Bahadurpur, P.O. Bahadurpur, District - Nawadah Bihar.
11. Ramji Prasad son of Late Ganga Mahto resident of Village - Kena, P.S. - Muffasil, District - Nawadah Bihar.
12. Purushottam Kumar son of Girijanandan Singh resident of Village - Gopalpur, P.S. Akbarpur, District - Nawadah Bihar.
13. Yogendra Prasad son of Achutanand Singh resident of Village - Rame, P.S. - Nadriganj, District - Nawadah Bihar.
14. Arvind Kumar son of Nawal Kishore Prasad resident of Village - Gopalpur, P.S. Akbarpur, District - Nawadah Bihar.
15. Arun Kumar Verma son of Shyam Sundar Prasad Singh resident of Village - Hirdayabigha, P.S. Harnaut, District - Nalanda Bihar.
16. Ajay Kumar Singh son of Awadhesh Kumar Singh resident of Village - Sikhar, P.S. Muffasil, District - Nawadah Bihar.
17. Moti Prasad son of Lakhan Prasad resident of Village - Nardiganj, P.S. Nardiganj, District - Nawadah Bihar.
18. Jagdeo Prasad son of Ram Chandra Prasad resident of Village - Akaurh, P.S. - Chandi, District - Nalanda Bihar.
19. Sunil Kumar son of Badri Singh resident of Village - Malikpur, P.S. -



Akbarpur, District - Nawadah Bihar.

20. Shailendra Kumar son of Kedar Nath Singh resident of Village - Gonawan, P.S. - Nawadah, District - Nawadah Bihar.
21. Prasidh Kumar son of Ramdhani Singh resident of Village - Dhansura, P.S. - Bathani, District - Nawadah Bihar.
22. Singeshwar Prasad Singh son of Sri Sheo Prasad Singh resident of Village - Singh Koki Bhawar Pokhar, P.O. - Patna, P.S. - Patna Sadar, District - Bihar.
23. Birju Prasad son of Late Ishwar Mahto resident of Village - Dharampura, P.S. - Chandi, District - Nawadah Bihar.
24. Anil Pandey son of Kapildeo Pandey resident of Village - Handia, P.S. - Nadriganj, District - Nawadah Bihar.
25. Shambhu Sharan son of Arjun Singh resident of Village - Gopalpur, P.S. Akbarpur, District - Nawadah Bihar.
26. Mahesh Prasad Singh son of Muni Singh resident of Village - Narhat, P.S. - Narhat, District - Nawadah Bihar.
27. Nawal Kishore Pandey son of Mahendra Kishore Pandey resident of Village - Narhat, P.S. - Narhat, District - Nawadah Bihar.
28. Birendra Kumar Sinha son of Gauri Shankar Prasad resident of Village - Khapura, P.S. - Mamo, District - Nawadah Bihar.
29. Anuj Prasad son of Rajendra Prasad resident of Village - Hasepur, P.S. - Osari, District - Nawadah Bihar.
30. Ravindra Kumar son of Kedar Nath Singh resident of Village - Gonawan, P.S. - Muffasil, District - Nawadah Bihar.
31. Uday Prasad Singh son of Rajendra Prasad Singh resident of Village - Gopalpur, P.S. Akbarpur, District - Nawadah Bihar.
32. Sanjeev Kumar son of Ram Naresh resident of Village - New Ara Nawadah, P.O. and P.S. - Nawadah, District - Nawadah Bihar.
33. Pramod Kumar son of Late Gita Singh resident of Village - Gopalpur, P.S. Akbarpur, District - Nawadah Bihar.
34. Jinnat Bano daughter of Sabir Ahmed resident of Village - Mirja Tola, P.S. - Bundelkhan, District - Nawadah Bihar.
35. Shahabuddin son of Abdul Rauf Warsi resident of Village - Akbarpur, P.S. - Akbarpur, District - Nawadah Bihar.
36. Sahnaj Khatoon daughter of Md. Salimuddin resident of Village - Akbarpur, P.O. Rajhat, P.S. Akbarpur, District Nawadah Bihar.
37. Gyasuddin son of Md. Salimuddin resident of Village - Akbarpur, P.O. Rajhat, P.S. Akbarpur, District Nawadah Bihar.
38. Shabana Naaz daughter of Md. Idan resident of Village - Akbarpur, P.S. Akbarpur, District - Nawadah Bihar.
39. Wakil Ahmed son of Imamuddin resident of Village - Akbarpur, P.S. Akbarpur, District Nawadah Bihar.
40. Kumar Jabin son of Nazmul Hoda resident of Village - Akbarpur, P.S. Akbarpur, District Nawadah Bihar



41. Gajaja Shahin daughter of Md. Mejamuddin resident of Village - Mahisauri, Ward No. 13, P.O. and P.S. - Jamui, District - Jamui Bihar.
42. Afsar All son of Md. Siyakul resident of Village - Bari Dargah, P.S. - Bundelkhan, District - Nawadah Bihar.
43. Shahin Parween daughter of Md. Abdul Hasan resident of Village - Mansagar Patori, P.O. - Fuldih, P.S. - Kauwakol, District - Nawadah Bihar.
44. Kamaluddin @ Amlaiddin son of Abdul Rauf Warsi resident of Village - Akbarpur, P.O. - Rajhat, P.S. - Akbarpur, District - Nawadah Bihar.
45. Ishrat Bano daughter of Md. Islam resident of Village - Akbarpur, P.O. Rajhat, P.S. Akbarpur, District Nawadah Bihar.
46. Farhat Naaz daughter of Md. Kamruddin Ansari resident of Village - Rasul Nagar, Gendpur, P.S. - Nawadah, District - Nawadah Bihar.
47. Sunila Kumari daughter of Ram Janam Singh Chauhan resident of Village - Maropur, P.S. - Akbarpur, District - Nawadah Bihar.
48. Pramila Kumari daughter of Hari Nandan Prasad resident of Village Amawan, P.S. - Rajauli, District - Nawadah Bihar.
49. Priyanka Kumari daughter of Shashi Bhushan Kumar Sharma resident of Village - Ohari, P.O. - Ohari, P.S. - Nawadah, District - Nawadah Bihar.
50. Sarita Kumari daughter of Sheolal Paswan resident of Village - Daudpur, P.O. - Fatehpur, P.S. - Akbarpur, District - Nawadah Bihar.
51. Suchita Kumari daughter of Indradeo Prasad resident of Village and P.O. - Amba, P.S. - Akbarpur, District - Nawadah Bihar.
52. Rubi Kumari daughter of Shri Deo Narain Upadhyay resident of Village and P.O. - Poaari, P.S. Harnaut, District - Nawadah Bihar.
53. Ratan Kumar son of Arjun Chaudhary resident of Village - Barauli, P.S. - Narhat, District - Nawadah Bihar.
54. Sanjeev Kumar son of Kedar Singh resident of Village - Hasda, P.O. Badhauna, P.S. - Hisua, District - Nawadah Bihar.
55. Nirmala Kumari daughter of Kaushlendra Kumar resident of Village - Warat, P.O. Saraye, P.S. - District - Nawadah Bihar.
56. Sindhu Rani wife of Ram Anugrah Singh resident of Village - Orahanpur, P.S. - Nawadah, District - Nawadah Bihar.
57. Seema Kumari daughter of Ramlagan Singh resident of Village - Baksanda, P.S. - Akbarpur, District - Nawadah Bihar.
58. Baby Kumari daughter of Dasrath Chaudhary resident of Village - Sanokhara, P.S. - Akbarpur, District - Nawadah Bihar.
59. Arvind Kumar son of Janki Ram resident of Village - Langta, P.S. - Warsaliganj, District - Nawadah Bihar.
60. Usha Kumari daughter of Badri Pandit resident of Village - Gondapur, P.O. and P.S. - Nawadah, District - Nawadah Bihar.
61. Ravindra Prasad son of Late Raghunandan Prasad resident of Village - Bhobhi, P.O. - Sasraudha, P.S. - Nagarnausa, District - Nawadah Bihar.
62. Rita Kumari daughter of Jagdish Prasad resident of Village - Makdanbigha,



P.S. - Chandi, District - Nalanda Bihar.

63. Manorama Kumari daughter of Surendra Kumar resident of Village - Pokhar, P.S. - Akbarpur, District - Nawadah Bihar.
64. Simpal Kumari daughter of Parmeshwar Ram resident of Village - Malikpur, P.O. Nemdarganj, P.S. Akbarpur, District - Nawadah Bihar.
65. Nisha Sinha daughter of Anil Kumar resident of Village and P.O. - Maldah, P.S. - Barbiga, District - Sheikhpora Bihar.
66. Kanchan Kumari daughter of Surendra Kumar resident of Village - Chiraiya, P.O. - Samwe, P.S. - Warsaliganj, District - Nawadah Bihar.
67. Niwesh Kumar son of Sri Pankaj Kumar Singh resident of Village and P.O. - Bajardih, P.S. - Jamui, District - Jamui Bihar.
68. Puja Kumari daughter of Jai Prakash Singh resident of Village - Korisauna, P.S. - Saiiao, District - Nalanda Bihar.
69. Shyam Sundar Kumar Yadav son of Mabir Prasad Yadav resident of Village - Pokhar, P.S. - Akbarpur, District - Nawadah Bihar.
70. Anil Chaudhary son of Sri Bandhu Chaudhary resident of Village - Samraitha, P.O. - Samrig, P.S. - Nawada, District - Nawada Bihar.
71. Pushplata Kumari daughter of Dwarika Prasad resident of Village - Mahuli, P.O. - Sisma, P.S. - Nawadah, District - Nawadah Bihar.
72. Ranjeet Kumar son of Mahesh Prasad Singh resident of Village and P.O. - Narhat, P.S. - Narhat, District - Nawadah Bihar.
74. Uday Prabhakar son of Madan Mohan Pandey resident of Village - Angar, P.S. - Ekangarsarai, District - Nalanda Bihar.
75. Arjun Chaudhary son of Narayan Chaudhary resident of Village - Mahuar Khurd, P.O. - Shandhi, P.S. - Buniyadganj, District - Gaya Bihar.
76. Smita Kumari daughter of Sri Sagar Mistri resident of Village and P.O. Mongal Kuan, P.S. Biharsharif, District - Nalanda Bihar.
77. Rakesh Kumar son of Umesh Prasad Sharma resident of Village - Ashta, P.O. - Ashta, P.S. - Tharthari, District - Nalanda Bihar.
78. Sunita Kumari daughter of Sita Ram resident of Village - Mahavra, P.S. - Govindpur, District - Nawadah Bihar.
79. Ajay Kumar son of Sri Bhola Singh resident of Village - Siuar, P.O. - Siuar, P.S. - Roh, District - Nawadah Bihar.
80. Rajnish Kumar son of Arvind Prasad Singh resident of Village - Samrigarh, P.O. - Samrigarh, P.S. - Govindpur, District - Nawadah Bihar.
81. Uday Ram son of Ramjit Ram resident of Village - Sishar, P.S. - Muffasil, District - Gaya Bihar.
82. Aditya Narain Singh son of Shiv Nandan Singh resident of Village - Sevaiya, Gopalpur, P.S. - Akbarpur, District - Nawadah Bihar.
83. Sushila Kumari daughter of Narain Prasad Singh resident of Village - Jalalpur, Gunjachak, P.S. Chandi, District - Nalanda Bihar.
84. Kushum Lata daughter of Krishnakant Chaudhary resident of Village - Mosma, P.S. Warsaliganj, District - Nawadah Bihar.



85. Karyanand Kumar son of Dayanand Singh resident of Village and P.O. Sangma, P.S. - Aliganj, District - Jamui Bihar.
86. Arun Ravidas son of Preman Ravidas resident of Village - Dariyapur, P.O. Dariyapur, P.S. - Warsaliganj, District - Nawadah Bihar.
87. Sanjay Kumar son of Ramautar Prasad resident of Village - Bishay Bigha, P.S. - Ekangarsarai, District - Nalanda Bihar.
88. Kumari Anamika daughter of Ravindra Prasad resident of Village - Bhagwanpur, P.S. Chandi, District - Nalanda Bihar.
89. Pramila Kumari daughter of Harinandan Prasad Amawan resident of Village - Rajauli, P.S. - Rajauli, District - Nawadah Bihar.
90. Satish Kumar son of Ramesh Prasad resident of Village - Bhadauri, P.S. Nawada, District - Nawadah Bihar.
91. Rabindra Prasad son of not known Ex. Block Education Officer, Block - Akbarpur, District - Nawadah at present residing at near Naulakha Mandir, Buxar, P.O. and P.S. - Buxar, District - Buxar Bihar.
92. Renu Devi daughter of Late Latan Singh, wife of Pradeep Singh Pramukh Cum Chairman, Teachers Employment Committee, Prakhand - Akbarpur, District - Nawadah Bihar
93. Anant Kumar son of not known Ex Block Education Officer, Block - Akbarpur, District - Nawadah, at present Block Education Officer, Block - Nawanagar, District - Buxar Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. None
For the State : Mr.Subhash Chandra Mishra- Sc16

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

- 2 30-08-2022 1. When the case is taken up on the second round, no one appears for the petitioners.
2. The petitioners by way of this petition prays for directing the respondents to make appointments on the post of Block Teacher after quashing the third list dated 20.12.2010 prepared for Akbarpur Block. It is prayed that the list initially prepared should be acted upon. He also challenges the order



dated 07.11.2012, passed by the District Teachers Appointment Appellate Authority, Nawada, whereby the Appellate Authority directed to make appointment on the basis of said list and further prays for quashing the appointment letters issued on 03.08.2015 placed on the said list. He further challenges the order passed by the District Teachers Appointment Appellate Authority dated 28.09.2015, whereby the appeal preferred was rejected.

3. This Court notices that the order passed by the District Teachers Appointment Appellate Authority dated 07.11.2012 was in terms of the order passed by this Court dated 02.11.2012 in C.W.J.C. No. 20433 of 2012, the District Appellate Authority has in that appeal held that the post could not be treated as backlog post and the said 84 posts were required to be filled in terms of the Advertisement issued in 2008. The said select list could not be simply doubted. It has also been noticed that the Principal Secretary has got the said select list verified vide its letter dated 21.02.201. Sanction was also granted for filling up the post. However, the appointment orders were not issued. The authority also has given a factual finding that the merit list was contains the signatures of the Chairman, Block Development Officer and further attested by



the Block Education Officer. The order passed by the District Appellate Authority dated 07.11.2012 has not been challenged before the State Appellate Authority and has been challenged directly by preferring this writ petition.

4. Taking into consideration the aforesaid facts and the factual findings arrived at by the District Teachers Appointment Appellate Authority, the writ petition is held to be not maintainable directly against the order of the District Teachers Appointment Appellate Authority. More so, as the said order has been passed in conformity with the directions issued earlier by this Court, the appeal filed separately by the petitioners for quashing the appointment letter was rightly rejected by the District Teachers Appointment Appellate Authority vide its order dated 28.09.2015, thus no interference is warranted.

5. The writ petition is accordingly dismissed.

(Sanjeev Prakash Sharma, J)

Pravinkumar/-

Item No. 22

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