

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.98 of 2018

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Indradeo Mandal Son of late Saryug Mandal Resident of Village- Biri-
Ranpal, Tola- Athgama Police Station- Uda- Kishunganj, District-
Madhepura.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Education Department,
Government of Bihar, Patna
2. The Director, Primary Education, Bihar, Patna.
3. The District Magistrate, Madhepura.
4. The District Education Officer, Madhepura.
5. The District Programme Officer, Madhepura.
6. The Block Development Officer, Uda-Kishunganj, District- Madhepura.
7. The Block Education Officer, Uda- Kishunganj, District Madhepura.
8. The Panchayat Secretary, Gram Panchayat, Biri- Ranpal within Uda-
Kishunganj Prakhand, District- Ma
9. Shri Uday Pratap Singh, S/o not known to the petitioner, posted as
Panchayat Sachiv of Gram Panchayat, Biri Ranpal, Police Station- Uda
Kishunganj, District- Madhepura
10. Smt. Kanchan Devi Wife of Shri Jai Kishore Thakur at Present Mukhia of
Gram Panchayat Biri Ranpal, Police Station- Uda-Kishunganj, District
Madhepura.
11. Shri Kant Lal Sharma Son of Shri Sukhdeo Sharma Ex Mukhia of Gram
Panchayat, Biri Ranpal, Police Station- Uda-Kishunganj, District
Madhepura.
12. The State Appellate Authority, Patna , through its Member Chairperson.
13. The District Appellate Authority, Madhepura, through its Member Presiding
Officer.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ranjit Kumar Singh, Adv.
For the State	:	Mr. Prabhakar Jha- Gp27 with Mr. Umesh Narayan Dubey, AC to GP-27
For respondent no. 10	:	Mr. Dinesh Pd. Verma, Adv.

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

5 04-07-2022

1. No one appears for the petitioner.

2. However, this writ petition is pending since 2018 and, therefore, the case was examined on merits.

3. This Court finds that the petitioner was appointed for a short period from 03.05.2005 to 17.05.2005 as a Shiksha Mitra in the Panchayat. It has come on record from the orders passed by the State Appellate Authority that he did not claim absorption as Panchayat Teacher and remain silent for several years and ultimately after applying and obtaining a copy under R.T.I., he took up the matter before the District Appellate Authority in 2016, claiming absorption after 10 years.

4. It is settled law that information received under R.T.I. can be only used for relevance purpose and not as a basis of initiating cause of action.

5. The petition is found to be suffering from gross latches and delay. After 10 years, directions for absorption on the post could not have been given rightly. The District Appellate Authority and State Appellate Authority rejected the case of the petitioner.

6. This Court also finds that the petitioner worked as Shiksha Mitra only for a short period of 14 days and on

that count too, he could not have been absorbed on the post.
There is no case for interference is made out.

7. Accordingly, the writ petition is dismissed.

(Sanjeev Prakash Sharma, J)

Pravinkumar/-

Item no. 30

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