

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Letters Patent Appeal No.332 of 2022**

**In**

**Civil Writ Jurisdiction Case No.8855 of 2022**

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Dinbandhu Prabhakar

... .. Appellant/s

Versus

The State of Bihar & Ors

... .. Respondent/s

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**Appearance :**

|                      |   |                                                                                                                                  |
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| For the Appellant/s  | : | Mr.Amit Srivastava, Sr. Advocate<br>Mr. Ram Narayan Mahto, Advocate<br>Mr. Sanjay Kumar, Advocate<br>Mr. Girish Pandey, Advocate |
| For the Respondent/s | : | Mr.Apurva Kumar, AC to GA12                                                                                                      |

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**CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI**

**and**

**HONOURABLE MR. JUSTICE PURNENDU SINGH**

**ORAL ORDER**

**(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)**

4      05-12-2022                      The present appeal has been filed against the order of the learned Single Judge dated 29.06.2022 passed in CWJC No. 8855 of 2022.

The appellant's prayer in the writ petition as under:-

*“(i) For issuance of an appropriate writ(s), order(s) direction(s) to the respondents to give the total vacant post till 30<sup>th</sup> June 2019 for the selection/appointment of 6 phase of High School Teacher appointment/selection of 2019 which has passed in STET examination 2011 in view of order of this Hon'ble Court being C.W.J.C No. 20095 of 2019 order dated 18.02.2020 and in view of that education department Govt. of Bihar, Patna has issued vide Memo no. 425 dated 26.02.2020.*

*(ii) For issuance of an appropriate writ(s), order(s) directions(s) to*



*the respondents to give the total vacant post of High School Teachers 35266 in view of Samagra Shiksha Abhiyan meeting of the project approval Board (PAB) held on 29<sup>th</sup> May 2019 same has issued on 19.07.2019 and also give the vacant sanction post as 25270 in view of vide Memo 9/B.V.P.No. 14/2019/406 dated 12.07.2019. letter no. 01/2019. dated 05.08.2019, letter no. 01/2019, 01-05 dated 28.08.2019, Letter no. 01/2019, 01-06 30.08.2019 which has been vacated till 30.06.2019.*

*(iii) For issuance of appropriate writ(s), order(s) directions(s) to the respondents which your Lordships may deem fit and proper.”*

The aforesaid prayer has been taken note of by the learned Single Judge and rightly held that in respect of seeking certain information remedy is available under RTI and further if the concerned authority has not provided material information, still the appellant has remedy before the appellate authority under the RTI Act.

In the light of these facts and circumstances the present LPA stands rejected while confirming the order of learned Single Judge.

Reserving liberty to the appellants resort appropriate remedy before the authority. Grievance of the appellant shall be redressed by the concerned authority, expeditiously, in accordance with law.

**(P. B. Bajanthri, J)**

**( Purnendu Singh, J)**

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