

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18538 of 2022

1. Jafir Alam, Son of Md. Masruf Alam, Resident of Village- Mahuawa, Phulwaria, Police Station- Dhaka, District- East Champaran.
2. Surya Sahani, Son of Dhenukh Sahani, Resident of Village- Mahuawa, Phulwaria, Police Station- Dhaka, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Magistrate, East Champaran at Motihari.
5. The District Education Officer, District- East Champaran.
6. The Superintendent of Police, Vigilance Police Station- Sachivalaya, Patna.
7. The Block Development Officer, Block Office, Dhaka, District- East Champaran.
8. The Education Officer, Block Education Office, Dhaka, District- East Champaran.
9. The Primary School Teacher Selection Unit, Headed By Mukhiya, Gram Panchayat Raj Gurhanwa, Block-Office- Dhaka, District- East Champaran.
10. The Mukhiya, Gram Panchayat Raj Gurhanwa, Block Office- Dhaka, District- East Champaran.
11. The Panchayat Secretary, Gram Panchayat Raj Gurhanwa, Block Office- Dhaka, District- East Champaran.
12. Md. Rahmatulla Son of Late Sheikh Mohammad, the then Mukhiya (2001-2011), Gram Panchayat Raj Gurhanwa, Block- Office-Dhaka, District-East Champaran.
13. Seema Praveen Wife of Phirdosh Alam, Residence of village- Mahuawa, Panchayat- Hurhanwa, Police station- Dhaka, District- East Champaran, presently posted on the post of Assistant Teacher in Government Primary School, Mahuawa, Schedule Caste Tola, Block Office, Dhaka, District- East Champaran.
14. Ram Pravesh Kumar son of Nathuni Sah, Resident of Village- Tostiya, Panchayat Raj- Gurhanwa, Police Station- Kundwa Chainpur, District - East Champaran, presently posted on the post of In Charge Head Master in Government Primary School, Mahuawa, Schedule Caste Tola, Block Office- Dhaka, District- East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Respondent/s : Ms. Shilpa Singh, GA-12



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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE MADHURESH PRASAD)

Date : 12-04-2023

The writ application has been filed as a Public Interest Litigation (PIL). The primary relief is for removal of private respondent Nos. 13 and 14. It is alleged that their initial appointment as teachers under the Bihar Teacher Appointment Margdarhsika was not in accordance with law. The petitioner alleges illegality in appointment of Respondent No. 13 and 14 as also corruption and favoritism in the process of their appointment by the then *Mukhiyan* (Respondent No. 12).

This Court would not permit challenge to appointment of two private respondents by invoking the writ jurisdiction of this Court, that also by way of a Public Interest Litigation. The alleged corruption in selection process at the village level, is an issue for which the petitioner may avail his remedy under the provisions of the Bihar Panchayat Raj Act. The writ application does not make out any issue of Public Interest.

This Court does not find any public interest being raised by the petitioner so as to warrant exercise of discretionary



jurisdiction in his favour that also as a Public Interest Litigation
Writ application is dismissed.

(K. Vinod Chandran, CJ)

(Madhuresh Prasad, J)

shashank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.04.2023
Transmission Date	NA

