

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18165 of 2022

1. Nijamuddin Ansari Son of Manauwar Ali, Resident of Village- Babhnauli, P.O.- Langarpura, P.S.- Mairwa, District- Siwan.
2. Kumkum Kumari Wife of Sri Pankaj Kumar Singh Kushwaha, Resident of Village- Mishrauli, Nauka Tola, P.O.- Bankul, P.S. and District- Deoria (Uttar Pradesh).
3. Manjesh Kumar Singh Son of Sri Surendra Singh, Resident of Babu Tola, Bargaon, Siwan, P.S. and District- Siwan
4. Uma Devi Wife of Sri Dinesh Kumar Singh, Resident of Main Road, Mariwa, P.O. and P.S.- Mairwa, District- Siwan.
5. Dileep Kumar Gupta @ Deelip Kumar Gupta Son of Sri Vishwanath Prasad Gupta, Resident of Shivpur Mathiya, main Road, Mairwa, P.O. and P.S.- Mairwa, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
2. The Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
3. The District Education Officer, Siwan.
4. The District Programme Officer (Establishment), Siwan.
5. The Block Teachers Employment Committee, through its Chairman-cum-Pramukh, Mairwa, P.O. and P.S.- Mairwa, District- Siwan.
6. The Block Development Officer-cum-Secretary, Block Teachers Employment Committee, Mairwa, P.O. and P.S.- Mairwa, District- Siwan.
7. The Block Education Officer, Mairwa, P.O. and P.S.- Mairwa, District- Siwan.
8. Pankaj Kumar Tiwary @ Pankaj Kumar Tiwari, Son of Sri Rameshwar Tiwary, Resident of Village- Ramnagar, Andarshala, Ward No. 5, P.S. Siwan, District- Siwan.
9. Meera Gupta Wife of Sri Kamleshwar Prasad Gupta, Resident of Village- Guthani, P.O. and P.S.- Guthani, District- Siwan.
10. Krishna Mohan Patel Son of Sri Dharmdeo Prasad, Resident of Village- Guthani, P.O. and P.S.- Guthani, District- Siwan.
11. Nebu Kumar Yadav Son of Sri Dudhnath Yadav, Resident of Village and P.O. Dumhar Khurd, P.S.- Darauli, District- Siwan.
12. Saroj Kumari Wife of Sri Manish Kumar Sharma, Resident of Village- Nautan, P.O. and P.S.- Naautan, District- Siwan.
13. Vineeta Singh Daughter of Sri Sheo Shankar Singh, Resident of Village- Hathauri, P.O. and P.S.- Darauli, District- Siwan.
14. Vinod Chaudhary Son of Sri Ramdeo Chaudhary, Resident of Village and P.O.- Vilaspur, P.S.- Mairwa, District- Siwan.
15. Avinash Kumar Son of Sri Laldeo Ram, Resident of Village- Nainijor, P.O.-



Bakulari, P.S.- Guthani, District- Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh, Adv.
For the Respondent/s : Mr. Subhash Chandra Mishra, SC 16

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

ORAL ORDER

- 2 06-01-2023 1. The petitioner by way of this writ petition assailing
the order of the State Appellate Authority.
2. It would be apposite to quote order passed by the
State Appellate Authority.

*“ The appellant apprehended in the light
of the said order that their cases shall not be
considered although the appellants have higher
merit point than the private respondents. It is stated
that the District Authority could have directed for
consideration of the case of the appellant before it
and not for their appointment. Reliance in this
regard placed on an order dated 01.07.2009 passed
by Hon’ble the High court in CWJC No. 7271 of
2009 (Md. Alamgir vs. The State of Bihar & Ors.). It
is stated that the said order of the District Authority
be accordingly clarified/modified.*

*Mr. Sharma, on the other hand, submits
that the District Authority has only noted that the
appellant had not been impleaded as party-
respondent in the appeal and as such it was difficult*



to issue notice to them and consider their case. He submits that, in fact, the District Authority has directed for consideration of the case of the appellant (private respondent herein) for appointment as Block Teacher in their respective categories in accordance with law.

The appeal is accordingly disposed of with an observation that the respondent-Employment Unit while complying with the order passed by the District Authority shall consider the case of all eligible candidates participated in the process of selection to be undertaken pursuant to the order of the District Authority strictly in accordance with the Rules and law.”

3. From the perusal of the directions issued by State Appellate Authority, it is apparent that the petitioner has been granted the relief as prayed for and no possible grievance can be said to be still remaining. The petitioner out to go before the District Appellate Authority and put up his case accordingly.

4. Writ petition is disposed of.

(Sanjeev Prakash Sharma, J)

Suraj/-
Item No. 91

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