

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4790 of 2021

1. Ashok Kumar Ranjan Son Of Ram Dayal Ram Resident Of Mohalla-Chandmari Motihari, Near Back Of Rajendra Hostel, Police Station-Motihari (town), District- East Champaran, Motihari
2. Dharmshila Devi @ Kumari Dharmshila Wife Of Vijay Kumar Yadav Resident Of Village- Barauli, Malikana, Ward No. 18, Alapur, Police Station- Gopalganj, District- Gopalganj
3. Sindhu Kumari Sarika Wife Of Late Gautam Kumar Resident Of Village-Purvi Anwarpur, Police Station- Hazipur, District- Vaishali At Hajipur
4. Abhay Kumar Son Of Hiralal Prasad Resident Of Village- Hazmatola, Police Station- Hariyan District- East Champaran, Motihari
5. Manish Mohan Patel Son Of Kameshwar Patel Resident Of Purana Exchange Road, Ward No. 21, Raxaul, Police Station- Raxaul, District- East Champaran, Motihari
6. Nitu Kumari Wife Of Depak Kumar Singh Resident Of Village- Dhanhar Dihuli, Ward No. 09, Police Station- Ramgharwa, District- East Champaran, Motihari
7. Arun Kumar Son Of Ganga Prasad Resident Of Village- Mauje, Ward No. 20, Police Station- Raxaul, District- East Champaran, Motihari
8. Madhuri Kumari Wife Of Deepak Kumar Resident Of Village-Bhelahi, Ward No. 11, Police Station- Palanwa District- East Champaran, Motihari
9. Soni Kumari Wife Of Rajesh Chaudhary Resident Of Village-Charoun, Naugarhi, Police Station- Naugarhi, District- Munger
10. Kunal Kumar Singh Son Of Kashinath Singh Resident Of Village-Tikuliya, Police Station- Pipra, District- East Champaran, Motihari
11. Kishore Kumar Gupta Son Of Dina Nath Prasad Resident Of Village-Bhelahi, Police Station- Palanwa District- East Champaran, Motihari
12. Chandra Shekhar Prasad Son Of Surendra Prasad Resident Of Village-Sursand, Police Station- Sursand, District- Sitamarhi
13. Amit Kumar Singh Son Of Thakur Singh Resident Of Raghunathpur Bazar, Police Station- Sagauli, District- East Champaran, Motihari
14. Rajan Kumar Son Of Thakur Krishna Kumar Resident Of Mohalla-Tumariya Tola, Ward No. 04, Raxaul, Police Station- Raxaul, District- East Champaran, Motihari
15. Ravi Kumar Patel Son Of Hiralal Prasad Resident Of Village- Hazmatola, Ward No. 15, Raxaul, Police Station- Raxaul, District- East Champaran, Motihari
16. Ravishankar Mishra Son Of Sadanand Mishra Resident Of Village- Gonha, Police Station- Raxaul, District- East Champaran, Motihari
17. Girish Kumar Son Of Krishan Nandan Sah Resident Of Village- Baswariya Tola Mehasul, Ward No. 12, Police Station- Mehsaul, District- Siamarhi
18. Chandani Kumari Wife Of Rajesh Kuamr Soni Resident Of Ward No. 05, Nagar Panchayat Sheohar, Police Station- Sheohar, District- Sheohar
19. Subhash Son Of Dewnath Prasad Resident Of Village- Mauze Raxaul, Ward No. 20, Police Station- Raxaul, District- East Champaran, Motihari
20. Mithilesh Kumar Son Of Bharat Prasad Kalakar, Resident Of Village-



Mauze, Wad No. 20, Police Station- Raxaul, District- East Champaran, Motihari

21. Anuradha Kumari Daughter Of Virendra Prasad Resident Of Village- Baspitta, Ward No. 12, Police Station- Baspitto, Mejarganj, District- Sitamarhi
22. Soni Kumari Wife Of Murari Singh Resident Of Macchali Bazar, Police Station- Raxaul, District- East Champaran, Motihari
23. Kamleshwar Kumar Soni Son Of Bharat Prasad Kalakar, Resident Of Village- Mauze, Ward No. 20, Police Station- Raxaul, District- East Champaran, Motihari
24. Santosh Kumar Sharma Son Of Jainarayan Thakur Resident Of Village- Parshurampur, Ward No. 15, Police Station- Palanwa, District- East Champaran, Motihari
25. Khusbu Kumari Son Of Yogendra Prasad Gupta Resident Of Village- Mauze Ward No. 20, Raxaul, Police Station- Raxaul, District- East Champaran, Motihari
26. Ambika Thakur Son Of Satha Thakur Resident Of Village- Koiriya Tola, Ward No. 25, Police Station- Raxaul, District- East Champaran, Motihari
27. Vijay Kumar Son Of Late Achelal Prasad Resident Of Village- Barauli, Ward No. 18, Police Station- Barauli, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Human Resources Development Department, Government of Bihar, Patna
3. The Principal Secretary-cum-Additional Chief Secretary, Education Department, Govt. of Bihar, patna
4. The Director Primary Education, Govt. of Bihar, Patna
5. The District Education Officer, East Champaran at Motihari
6. The District Programme Officer (Establishment) East Champaran at Motihari
7. The Prakhand Pramukh Block Employment Unit, Raxaul, District- East Champaran at Motihari
8. The Block Development Officer-cum-Member Secretary, Block Level Prakhand Teachers Appointment Committee, Raxaul, District- East Champaran at Motihari
9. The Block Education Officer, Raxaul, District- East Champaran at Motihari

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Mishra, Adv.
For the Respondent/s : Mr. Lalit Kishore (Ag)

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT



Date : 13-03-2024

Heard learned counsel for the petitioners and learned counsel for the respondents.

2. Learned counsel for the State has filed the counter affidavit today in the Court.

3. Let it be kept on record.

4. This writ petition has been filed for the following reliefs:

(I) For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to complete the process for selection / appointment on the 24 vacant posts of Block Teacher / Prakhanda Teacher in the Raxaul Block, District East Champaran at Motihari, which could not be completed due to arbitrary, illegal and wrongful conduct of the erstwhile Block Pramukh -cum- the Chairman of Selection Committee, Raxaul, who despite the direction of the State Government for holding the counseling and for issuing the selection/appointment letters to the candidates like the petitioners whose counseling was already complete did not attend the meeting on 28.12.2010, the appointment /selection letters could not be issued in favour of the petitioners and even after repeated request of the petitioners, the respondent authorities are keeping mum and they have not taken any steps for filling up the vacant posts of the Block Teachers in the Raxaul Block, District - East Champaran at Motihari.

(II) For issuance of an appropriate writ in the nature of mandamus for commanding and directing the respondent authorities concerned to fill up the vacant posts of Block Teachers in the Raxaul Block without any further delay as the petitioners have requisite qualifications to be selected / appointed as Block Teachers in the Raxaul Block, District - East Champaran at Motihari and as they have requisite qualification, they are under hope and impression that they will be selected / appointed but till date no positive steps have been taken for filling up the vacant posts of Block



Teachers in the Raxaul Block.

(III) For issuance of an appropriate writ as an alternative prayer of the petitioner for directing the respondent authorities concerned to consider and appoint the petitioners on the post of Block Teachers as the District Teacher Employment Appellate Authority, East Champaran, Motihari is not entertaining the case/ application relating to appointment of the petitioners as Block Teachers in the Raxaul Block, District - East Champaran.
(IV) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the petitioners will be found entitled in the facts and circumstances of the case.

5. Learned counsel for the petitioners submits that this writ petition is squarely covered by its order dated 09.12.2016 passed in C.W.J.C. No. 19009 of 2011.

6. Considering the facts and circumstances of the case, this writ petition is disposed of with direction to the respondent authority particularly respondent nos. 6 to 9 to conclude the selection process in accordance with law after due notice to all effected persons concerned. The whole process is expected to be concluded within a period of three months.

(Anjani Kumar Sharan, J)

devendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.03.2024
Transmission Date	NA

