

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16840 of 2015

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Pawan Kumar Son of Shri Jagdish Lal Das resident of Village - Pilwaha, P.S.
Jadia, District - Supaul.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. District Education Officer, Supaul.
3. District Programme Officer Establishment, Supaul.
4. Block Education Officer, Tribeniganj, District - Supaul.
5. Block Extension Education Officer, Tribeniganj Block, District - Supaul.
6. Secretary, District Teachers Employment Appellate Tribunal, Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Mukund, Advocate
For the Respondent/s : Mr. Rajeev Ranjan, A.C. to G.P.-20

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-01-2024 Heard the parties.

2. The present petition has been preferred for a direction upon the authorities to appoint the petitioner as a Physically trained Teacher by calling him for counseling and placing him in the merit list for appointment as per the order passed by the District Teachers Appellate Authority, Supaul in Case No. 03/09 under Tribeniganj Block and also to compensate him by paying him the entire salary.

3. It is the case of the petitioner that pursuant to the order passed by the District Teachers Employment Appellate Authority, Supaul in Case No. 03 of 2009 by which direction was given for the counselling of the Physical Trained Teacher under Tribeniganj Block, he appeared, though belatedly but was denied the opportunity.



4. Learned State Counsel has straightway taken this Court to Annexure 4 of the writ petition to show that the date of counselling was fixed as 10.08.2010 when the petitioner did not appeared.

5. His further submission is that five years later, this application was made on 02.05.2015 after which the writ petition was filed.

6. He as such, submits that when admittedly, the petitioner failed to appear in the year 2010 and slept over the matter for next five years, no relief can be granted to him.

7. This Court finds force in the submissions put forward by the learned Counsel for the State. The petitioner having failed to appear on the date of counselling and/or prefer any petition in case he was indisposed and/or unable to appear, five years later he realised of appearing whereafter he filed a petition (Annexure 4) and thereafter filed writ petition. This is the opinion of the Court was too late.

8. The writ petition is bereft of merit and is accordingly dismissed.

(Rajiv Roy, J)

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