

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3684 of 2020

Bindeshwar Ram Son of late Jhameli Ram, R/o Village Kayasth Kabai,
Panchayat Raghapur West, P.S. Manigachi, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Education Department, Bihar.
2. Direction Primary Education Department, Bihar.
3. District Magistrate, Darbhanga.
4. District Education Officer, Darbhanga.
5. District Program Officer Establishment, Darbhanga.
6. Block Education Officer, Manigachi, Darbhanga.
7. Mukhiya Gram Panchayat Raghapur West Block and P.S. Manigachi, Darbhanga.
8. Panchayat Secretary Gram Panchayat Raghapur West Block and P.S. Manigachhi, Darbhanga.
9. Smt. Nutan Kumari, W/o Shree Diwakar Village Kayasth Kabai, Panchayat Raghapur West P.S. Manigachi, District- Darbhanga.
10. Ravi Shankar Mandal, Son of Sri Faikir Chandra Mandal, R/o Village Kayasth Kanai, Panchayat Raghapur West, P.S. Manigachhi, District- Darbhanga as Panchayat Teacher Primary School Panchayat Raghapur West, P.S. Manigachi, District- Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Md. Shahnawaz Ali
For the Respondent/s : Mr.Jitendra Kumar Roy (Sc13)

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 07-05-2024

Heard learned counsel for the parties.

2. The present writ application has been filed on behalf of
the petitioner for the following reliefs:-

*(i) For order and direction to the respondent
authorities for quashing the appointment of
respondent no.9, Smt. Nutan Kumari w/o Sri
Diwakar Jha dated 10.08.2019 be issued.*

(ii) A writ order and direction to the respondent



authorities to make appointment of the petitioner in place of respondent no.9.

(iii) Any other writ, order and direction as the petitioners are entitled to.

3. Learned counsel for the petitioner submits that the petitioner was legally appointed on the post of Siksha Mitra but respondent no.9, who belongs to General Category got appointment on the said post which was reserved for SC category. He further submits that the petitioner filed an appeal before the District Appellate Authority, Darbhanga which was rejected on the ground of delay. Later on, petitioner filed an appeal before the State Appellate Authority which was also dismissed on the same ground.

4. A counter affidavit has been filed on behalf of respondent no.9 in which he has stated that the petitioner has made a vague interview statement that the post of Shiksha Mitra was reserved for SC category, without any supporting documents. Being aggrieved of the appointment of respondent no.9, the petitioner filed an appeal after 10 years before District Teacher Appellate Authority, Darbhanga which was dismissed vide order dated 04.08.2017. He further submits that against the order of the District Appellate Authority, Darbhanga, petitioner filed an appeal before the State Appellate Authority which was also



dismissed vide order dated 18.05.2018.

5. The respondent authorities have clearly stated that as per roaster clearance made for the post of Siksha Mitra, the said post was unreserved for female candidate and since the respondent no.9 was on top of the merit list of female candidate, she was appointed on the said post.

6. Having heard learned counsel for the respective parties and in my considered opinion, no infirmity or illegality has been found in the order of the District Appellate Authority, Darbhanga and State Appellate Authority, as such, this writ application stands dismissed.

(Anjani Kumar Sharan, J)

shikha/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.05.2024
Transmission Date	NA

