

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9733 of 2019

Manisha Kumari Wife of Jagdish Yadav Resident of Village and P.O.
Manikpur, P.S. Phulkaha, District-Arariya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director Primary Education Government of Bihar, Patna.
3. The Member of District Teachers Appellate Authority, Arariya.
4. The District Magistrate, Arariya.
5. The District Education Officer, Arariya.
6. The District Programme Officer (Establishment), Arariya.
7. The Block Development Officer, Narpatganj, District Arariya.
8. The Block Education Officer, Narpatganj, District Arariya.
9. The Panchayat Teachers Selection Committee, Gram Panchayat Raj Manikpur, Block Narpatganj, District Arariya.
10. The Panchayat Secretary, Gram Panchayat Raj Manikpur, Block Narpatganj, District Arariya.
11. Beauty Kumari Wife of Nirbhay Kumar Resident of Village and P.O. Manikpur, P.S. Phulkaha, District Arariya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha, Adv.
For the Respondent/s : Smt. Binita Singh (SC28)

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 08-04-2024 Heard the parties.

2. The present writ petition has been filed for the
following relief(s):-

i) To quash the order dated 18.01.2019
passed in Appeal No. 926 of 2018 by the Hon'ble
Chair Person (J) Mr. Justice Kishore Kumar
Mandal, State Appellate Authority whereby and
whereunder his lordship was pleased to dismiss
the appeal on the ground of delay.



ii) To quash the order dated 09.07.2015 passed by the District Employment Appellate Authority Araria whereby and whereunder he has also dismissed the appeal filed by the petitioner on the ground of delay.

iii) To direct the respondents to appoint the petitioner on the post of Panchayat Teacher after setting aside the selection of respondent no.11 taking into consideration that the petitioner has higher marks than that after.

iv) To any other relief/ reliefs to which the petitioner has found entitled in the facts and circumstances of the case.

3. Learned counsel for the petitioner submits that *vide* Annexure-7, a Co-ordinate Bench of this Court directed the State Appellate Authority, Patna to consider the case of the petitioner on merits without being impeded by the issue of limitation.

4. Learned counsel for the petitioner further submits that Annexure-8 is an order of State Appellate Authority, Education Department, Bihar, Patna dated 18.01.2019 whereby the Appeal No. 696/2018 filed by the petitioner was dismissed on the basis of delay and laches.

5. Considering all the facts and circumstances and the submission advanced on behalf of the petitioner, the order passed by the State Appellate Authority, Education Department, Bihar, Patna dated 18.01.2019 whereby the Appeal No. 696/2018 got dismissed, is hereby, set aside and the matter is



remitted back to the State Appellate Authority, Patna to consider the case of the petitioner on merits after hearing all the necessary parties.

6. Accordingly, this petition stands disposed of.

(Anjani Kumar Sharan, J)

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