

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18212 of 2015

1. Sujeet Kumar Suman son of Kedar Das resident of village - Mahkar, P.O. - Siuar Roh, P.S. - Roh, District - Nawada.
2. Renu Kumari daughter of Raghav Mahto resident of village - Kasmara, P.O. P.S. - Rupau, District - Nawada.
3. Om Prakash Singh son of Late Mathura Singh resident of village - Gangarampur, P.O. P.S. - Narhat, District - Nawada.
4. Sunita Kumari daughter of Sukhdeo Singh resident of village - Panchu Par Hisua, P.O. P.S. - Hisua, District - Nawada.
5. Rajeev Kumar son of Bandhu Mahto resident of village - Mahkar, P.O. - Siuar Roh, P.S. - Govindpur, District - Nawada.
6. Gautam Kumar Singh @ Gautam Kumar son of Mohan Singh resident of village - Patwasarai, P.O. - Kadirganj, P.S. and District - Nawada.
7. Jitendra Kumar son of Jagdish Singh resident of village - Karanpur, P.O. - Kundabhalua, P.S. - Govindpur, District - Nawada.
8. Gayatri Kumari daughter of Suresh Das resident of village P.O. - Fatehpur, P.S. - Akbarpur, District - Nawada.
9. Jahid Hussain son of Nurul Hassan Kasmi resident of village - Mansagar, P.O. - Fuldih, P.S. - Rupau, District - Nawada, at present resident of village - Gopalpur, P.O. - Makhar, P.S. - Akbarpur, District - Nawada.
10. Jitendra Kumar Das son of Raghuvir Das resident of village - Panti, P.O.+ P.S. - Akbarpur, District - Nawada.
11. Surendra Kumar son of Banarash Singh resident of village -Koluhuawar, P.O. - Itpakwa, P.S. - Kauwakol, District - Nawada.
12. Bhola Kumar son of Tanik Lal Singh resident of mohalla - Garhpar Nawada, P.O.+P.S+ District - Nawada.
13. Usha Kumari daughter of Badri Pandit resident of village - Gondapur, P.O.+ P.S. and District - Nawada.
14. Munni Kumari daughter of Gyanchand Prasad resident of mohalla - Ram Nagar, P.O. +P.S. and District - Nawada.
15. Dashrath Prasad son of Ramdhani Prasad Yadav resident of village and P.O. - Fatehpur, P.S. - Akbarpur, District - Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar of Patna.
2. Principal Secretary, Department of Education, Government of Bihar of Patna.
3. The Director, Department of Education, Government of Bihar of Patna.
4. The District Magistrate, Nawada.
5. The District Teacher Appellate Tribunal, Nawada through its Member



Secretary.

6. The Selection Committee of Panchayat Samitee Akbarpur, Nawada, District - Nawada.
7. The Block Development Officer, Akbarpur cum Executive Officer, Block Panchayat Samiti, Akbarpur, Nawada.
8. Block Education Officer, Akbarpur Block, Akbarpur, Nawada.
9. Sharvan Kumar son of Ram Narain Singh resident of and P.O. - Bahadurpur, District - Nawada.
10. Ramji Prasad son of Late Ganga Mahto resident of Kena, P.S. - Muffasil, District - Nawada.
11. Purusottam Kumar son of Girijanandan Singh resident of Gopalpur, P.S. - Akbarpur, District - Nawada.
12. Yogendra Prasad son of Achutanand Singh resident of Rame, P.S. - Nardiganj, District - Nawada.
13. Arvind Kumar son of Nawal Kishore Prasad resident of village - Gopalpur, P.S. - Akbarpur, District - Nawada.
14. Arun Kumar Verma son of Shyam Sunder Prasad Singh resident of Hirdayabigha, P.S. - Harnaut, District - Nalanda.
15. Ajay Kumar Singh son of Awadhesh Kumar Singh resident of Sikhar, P.S. - Muffasil, District - Nawada.
16. Moti Prasad son of Lakhan Prasad resident of Nardiganj, P.S. - Nardiganj, District - Nawada.
17. Jagdeo Prasad son of Ramchandra Prasad resident of village - Akaurh, P.S. - Chandi, District - Nalanda.
18. Sunil Kumar son of Badri Singh resident of Malikpur, P.S. - Akbarpur, District - Nawada.
19. Shailendra Kumar son of Kedar Nath Singh resident of Gonawan, P.S. - Nawada, District - Nawada.
20. Prasidh Kumar son of Ramdhani Singh resident of Dhansura, P.S. - Bathani, District - Gaya.
21. Singheshwar Prasad Singh son of Shri Sheo Prasad Singh resident of village - Singh Koki Bhawar Pokhar, P.O. - Patna, P.S. - Patna Sadar, District - Patna.
22. Birju Prasad son of Late Ishwer Mahto resident of Dharampur, P.S. - Chandi, District - Nawada.
23. Anil Pandey son of Kapildeo Pandey resident of Handia, P.S. - Nardiganj, District - Nawada.
24. Shambhu Sharan son of Arjun Singh resident of Gopalpur, P.S. - Akbarpur, District - Nawada.
25. Mahesh Prasad Singh son of Muni Singh resident of Narhat, P.S. - Narhat, District - Nawada.
26. Nawal Kishore Pandey son of Mahender Kishore Pandey resident of Narhat, P.S. - Narhat, District - Nawada.



27. Birendra Kumar Sinha son of Gauri Shankar Prasad resident of Khapura, P.S. - Mamo, District - Nawada.
28. Anuj Prasad son of Rajendra Prasad resident of Hasepur, P.S. - Osari, District - Nalanda.
29. Ravinder Kumar son of Kedar Nath Singh resident of Gonawan, P.S. - Muffasil, District - Nawada.
30. Uday Prasad Singh son of Rajender Prasad Singh resident of village - Gopalpur, P.S. - Akbarpur, District - Nawada.
31. Sanjeev Kumar son of Ram Naresh resident of village - New Ara Nawada, P.O. P.S. and District - Nawada.
32. Pramod Kumar son of Late Gita Singh resident of Gopalpur, P.S. - Akbarpur, District - Nawada.
33. Jinnat Bano daughter of Sabir Ahmad resident of Mirja Toli, P.S. - Bundelkhand, District - Nawada.
34. Shahbuddin son of Abdul Rauf Warsi resident of village - Akbarpur, P.S. - Akbarpur, District - Nawada.
35. Sahnaj Khatoon daughter of Md. Salimuddin resident of village - Akbarpur, P.O. - Rajhat, P.S. - Akbarpur, District - Nawada.
36. Gyasuddin son of Md. Salimuddin resident of village - Akbarpur, P.O. - Rajhat, P.S. - Akbarpur, District - Nawada.
37. Shabana Naaz daughter of Md. Idan resident of Akbarpur, P.S. - Akbarpur, District - Nawada.
38. Wakil Ahmed son of Imamuddin resident of Akbarpur, P.S. Akbarpur, District - Nawada.
39. Kumar Jabin son of Nazmul Hoda resident of Akbarpur, P.S. - Akbarpur, District - Nawada.
40. Gajala Shahin daughter of Md. Mejamuddin resident of village - Mahisauri, Ward No. 13, P.O. P.S. and District - Jamui.
41. Afsar Ali son of Md. Siyakul resident of Bari Dargah, P.S. - Bundelkhand, District - Nawada.
42. Shahin Praween daughter of Md. Abdul Hasan resident of village - Mansagar Patori, P.O. - Fuldih, P.S. - Kauwakol, District - Nawada.
43. Kamaluddin @ Amlaiddin son of Abdul Rauf Warsi resident of Akbarpur, P.S. - Akbarpur, District - Nawada.
44. Ishrat Bano daughter of Md. Islam resident of village - Akbarpur, P.O. - Rajhat, P.S. - Akbarpur, District - Nawada.
45. Farhat Naaz daughter of Md. Kamruddin Ansari resident of Rasul Nagar, Gendpur, P.S. - Nawada, District - Nawada.
46. Sunila Kumari daughter of Ram Janam Singh Chauhan resident of Maropur, P.S. - Akbarpur, District - Nawada.
47. Pramila Kumari daughter of Harinandan Prasad resident of village - Amawan, P.S. - Rajauli, District - Nawada.
48. Priyanka Kumari daughter of Shashibhusan Kumar Sharma resident of



village P.O. - Ohari, P.S. and District - Nawada.

49. Sarita Kumari daughter of Sheolal Paswan resident of village - Dadpur, P.O. - Fatehpur, P.S. - Akbarpur, District - Nawada.
50. Suchita Kumari daughter of Indradeo Prasad resident of village+ P.O. - Amba, P.S. - Akbarpur, District - Nawada.
51. Rubi Kumari daughter of Sri Deo Narain Upadhyay resident of village+ P.O. - Poari, P.S. - Harnaut, District - Nalanda.
52. Ratan Kumar son of Arjun Chaudhary resident of Barauli, P.S. - Narhat, District - Nawada.
53. Sanjeev Kumar son of Kedar Singh resident of village - Hadsa, P.O. - Badhauna, P.S. - Hisua, District - Nawada.
54. Nirmala Kumari daughter of Kaushlendra Kumar resident of village - Warat, P.O. - Saraye, P.S. and District - Nawada.
55. Sindhu Rani wife of Ram Anugrah Singh resident of Orahanpur, P.S. - Nawada, District - Nawada.
56. Baby Kumari daughter of Dasrath Chaudhary resident of Sanokhara, P.S. - Akbarpur, District - Nawada.
57. Seema Kumari daughter of Ramlagan Singh resident of Baksanda, P.S. - Akbarpur, District - Nawada.
58. Arvind Kumar son of Janki Ram resident of village - Gangta, P.S. - Warsaliganj, District - Nawada.
59. Usha Kumari daughter of Badri Pandit resident of village - Gondapur, P.O.+ P.S. and District - Nawada.
60. Ravindra Prasad son of Late Raghunandan Prasad resident of village - Bhobhi, P.S. - Sasraudha, P.S. - Nagarnausa, District - Nalanda.
61. Rita Kumari daughter of Jagdish Prasad resident of Makdanbigha, P.S. - Chandi, District - Nalanda.
62. Manorama Kumari daughter of Surendra Kumar resident of village - Pokhar, P.S. - Akbarpur, District - Nawada.
63. Simpal Kumari daughter of Parmeshwar Ram resident of village - Malikpur, P.O. - Nemdarganj, P.S. - Akbarpur, District - Nawada.
64. Nisha Sinha daughter of Anil Kumar resident of village +P.O. - Maldah, P.S. - Barbigha, District - Shekhpura.
65. Kanchan Kumari daughter of Surendra Kumar resident of village - Chiraiya, P.O. - Samwe, P.S. - Warsaliganj, District - Nawada.
66. Niwesh Kumar son of Sri Pankaj Kumar Singh resident of village P.O. - Bajardih, P.S. and District - Jamui.
67. Puja Kumari daughter of Jai Prakash Singh resident of Koriauna, P.S. - Sailao, District - Nalanda.
68. Shyam Sundar Kumar Yadav son of Mabir Prasad Yadav resident of Pokhar, P.S. - Akbarpur, District - Nawada.
69. Anil Chaudhary son of Sri Bandhu Chaudhary resident of village - Samraitha, P.O. - Samrig, P.S. - Nawada, District - Nawada.



70. Pushpalata Kumari daughter of Dwarika Prasad resident of village - Mahuli, P.O. - Sisma, P.S. - Nawada, District - Nawada.
71. Ranjeet Kumar son of Mahesh Prasad Singh resident of village +P.O. and P.S. - Narhat, District - Nawada.
72. Rubi Kumari wife of Sita Ram resident of Mahabra, P.S. - Govindpur, District - Nawada.
73. Uday Prabhakar son of Madan Mohan Pandey resident of Angar, P.S. - Ekangarsarai, District - Nalanda.
74. Arjun Chaudhary son of Narayan Chaudhary resident of Mahuar Khurd, P.O. - Shandhi, P.S. - Buniyadganj, District - Gaya.
75. Smita Kumari daughter of Sri Sagar Mistri resident of village +P.O. - Mongal Kuan, P.S. - Biharsharif, District - Nalanda.
76. Rakesh Kumar son of Umesh Prasad Sharma resident of village - Ashta, P.O. - Ashta, P.S. - Tharthari, District - Nalanda.
77. Sunita Kumari daughter of Sita Ram resident of Mahavra, P.S. - Govindpur, District - Nawada.
78. Ajay Kumar son of Sri Bhola Singh resident of village - Siuar, P.O. - Siuar, P.S. - Roh, District - Nawada.
79. Rajnish Kumar son of Arvind Prasad Singh resident of Samrigarh, P.O. - Samrigarh, P.S. - Govindpur, District - Nawada.
80. Uday Ram son of Ramjit Ram resident of Sishar, P.S. - Muffasil, District - Gaya.
81. Aditya Narain Singh son of Shiv Nandan Singh resident of Sevaiya, Gopalpur, P.S. - Akbarpur, District - Nawada.
82. Sushila Kumari daughter of Narain Prasad Singh resident of village - Jalalpur, Gunjachak, P.S. - Chandi, District - Nalanda.
83. Kushum Lata daughter of Krisnakant Chaudhary resident of Mosma, P.S. - Warsaliganj, District - Nawada.
84. Karyanand Kumar son of Dayanand Singh resident of village+ P.O. - Sangma, P.S. - Aliganj, District - Jamui.
85. Arun Ravidas son of Preman Ravidas resident of village - Dariyapur, P.O. - Dariyapur, P.S. - Warsaliganj, District - Nawada.
86. Sanjay Kumar son of Ramautar Prasad resident of Bishay Bigha, P.S. - Ekangarsarai, District - Nalanda.
87. Kumari Anamika daughter of Ravindra Prasad resident of Bhagwanpur, P.S. - Chandi, District - Nalanda.
88. Pramila Kumari daughter of Harinandan Prasad Amawan P.S. - Rajauli, District - Nawada.
89. Satish Kumar son of Ramesh Prasad resident of Bhadauni, P.S. - Nawada, District - Nawada.
90. Rabindra Prasad son of not known Ex. Block Education Officer, Block - Akbarpur, District - Nawada, at present residing at Near Naulakha Mandir, Buxar, P.O. +P.S. and District - Buxar.



91. Renu Devi D/o Late Latan Singh, wife of Pradeep Singh Pramukh-cum-Chairman, Teachers Employment Committee, Prakhand - Akbarpur, District - Nawada.
92. Anant Kumar son of not known Ex. Block Education Officer, Block - Akbarpur, District - Nawada, at present Block Education Officer, Block - Nawada, District - Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Nikhil Kumar Agrawal, Advocate Mr. Santosh Kumar Mishra, Advocate Mr. Bhola Kumar, Advocate Ms. Aditi Hansaria, Advocate
For the Respondent/s	:	Mr. Arvind Ujjwal, SC-25

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-02-2024 1. The petitioners have filed the instant application
for the following relief(s):-

“i. To issue an appropriate writ/order/direction in the nature of certiorari for quashing the final selection list dated 20.12.2010 of Prakhand Teachers of Akbarpur Prakhand for making appointment on the post earmarked for second phase appointment of Prakhand Teachers, 2008, purportedly prepared by the then Block Education Officer, Anant Kumar; putting forged signatures of Prakhand Pramukh, Smt. Renu Devi and that of the then Block Education Officer, Shri Rabindra Prasad who was one of the members of the Selection at the time of preparation of original selection unit list on 20.12.2010 as contained in Annexure-1 series.

ii. To issue an appropriate writ/order/direction in the nature of certiorari for quashing the order dated 07.11.2012 passed by the District Teachers Appointment Appellate Authority, Nawada in Case No.222/2011 and Appeal No.21/2012, by which the



Appellate Authority had directed to make appointment of Prakhand Teachers in Block Akbarpur on the basis of the wrong interpolated selection list dated 20.12.2010 as contained in Annexure-5.

iii. To issue an appropriate writ/order/direction in the nature of certiorari for quashing the appointment letters no.298 to 378, all dated 03.08.2015 issued by the Block Development Officer cum Secretary, Prakhand Teacher Appointment Unit, Akbarpur, Nawada, by which the respondents 2nd set (respondent no.9 to 88) have been informed that they would be appointed as Prakhand Teachers and for which they have to furnish their consent letters. (Annexure-13 Series).

iv. To issue an appropriate writ/order/direction, directing the respondents to make fresh selection on the basis of fresh counselling on 84 posts earmarked for appointment in second phase of Prakhand Teachers Appointment, 2008 in Block Akbarpur from amongst the candidates who had applied for being selected as Prakhand Teachers pursuant to the notice published by the Education Department for making appointment of teachers in second phase in the year 2008.

v. To issue an appropriate writ/order/direction, for an independent, impartial inquiry by an Investigating Agency of the appointments made in Prakhand Akbarpur of second phase of the year 2008 of Prakhand Teachers.

vi. Any other relief or reliefs for which the petitioner is found to be entitled in the facts and circumstances



of the case.”

2. Learned counsel appearing for the petitioners submits that similar matter was under consideration of this Court in L.P.A. no. 833 of 2019 (Sudhihar Kumar & Ors vs. the State of Bihar & Ors) which was dismissed vide order dated 31.10.2023 with a direction to the appellants and the respondents therein to appear before the District Teachers Appellate Authority, Nawada who was to consider the issue and dispose of the same as expeditiously as possible.

3. Learned counsel appearing for the respondents submits that the matter can be sent to the District Teachers Appellate Authority for consideration of the case of the petitioners herein.

4. In view of the submissions made, this application stands disposed of with a direction to the petitioners to appear and file an appropriate application before the District Teachers Appellate Authority on 18.3.2024. The respondents herein would be impleaded as party before the Appellate Authority who after issuing notice to the respondents and hearing the parties shall decide the application filed by the petitioners expeditiously.



5. It is made clear that this Court has not gone into the merits of the case of the parties which will be decided by the Appellate Authority.

6. The application stands disposed of.

(Partha Sarthy, J)

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