

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10570 of 2016

Ashok Kumar Yadav Son of Basudeo Yadav, resident of Village P.O.- Chandpur Bhangha, Block P.S. Banmankhi, District- Purnea, presently posted as Assistant Teacher at Middle School, Mirchaibari, Block P.S.- Banmankhi, District- Purnea.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Education, Bihar, Patna.
2. The Principal Secretary, Department of Education Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The Regional Deputy Director of Education, Purnea.
5. The District Magistrate, Purnea.
6. The District Education Officer, Purnea.
7. The District Programme Officer Establishment, Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Advocate
For the Respondent/s : Mr.Raghwanand- GA 11

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 25-04-2024 1. Heard learned counsel for the parties concerned.

2. The petitioner has filed the present writ application for directing the respondents to consider the appointment of the petitioner on the post of Assistant Teacher since 1987.

3. Learned counsel for the petitioner submits that pursuant to advertisement, panel of Teachers for appointment was approved on 14.07.1986 by the Regional Deputy Director of Education, Purnea, in which, the petitioner's name was mentioned but knowingly, his name was left from the list and



even after objection being raised by the petitioner, it was not considered causing monetary loss to the petitioner.

4. Learned counsel for the State submits that the name of the petitioner was not found in the panel list for selection and accordingly, he filed C.W.J.C. no. 3226 of 1993, which was disposed on 25.06.1993, by this Court, with a direction to the petitioner to file representation before the Director within three weeks. In the light of the order passed in the aforesaid writ application, the District Superintendent of Education, Purnea, as per the direction of Deputy Secretary, H.R.D., issued appointment letter vide Memo no. 7129-36 dated 28.06.1994. The petitioner submitted his joining on 29.04.1994. He retired on 31.12.2016. In the year of his retirement, he has filed this writ application for shifting of his year of appointment from 1994 to 1987.

5. Regards being had to the submission made by learned counsel for the parties and taking into consideration the fact that the petitioner was appointed pursuant to a representation filed by him, in the light of the order dated 25.06.1993, passed in C.W.J.C. no. 3226 of 1993 as also considering the fact that the date of appointment cannot be shifted after petitioner's retirement and the petitioner has not



made out a strong case for shifting the year of his appointment from 1994 to 1987, I do not find any merit in this writ application and accordingly, the same is dismissed.

(Anil Kumar Sinha, J)

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