

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11013 of 2019

Sanjay Kumar S/o Deep Narayan Yadav Resident of Village and P.O. Sukhasan, Via and P.S. Gwalpara, Dist.-Madhepura, at present posted as Panchayat Teacher, New Primary School, Manjhadira under Gram Panchayat Govindpur, Blok P.S. Felka, Dist.-Katihar

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, Patna
2. The District Magistrate, Katihar, Police Station and Dist.-Katihar
3. The District Education Officer, Katihar, P.S. and Dist.-Katihar
4. The District Programme Officer (Establishment), Katihar, P.S. and Dist.-Katihar
5. The Block Development Officer, Falka, P.S.-Falka, Dist.-Katihar
6. The Block Education Officer, Falka, P.S. and Dist.-Katihar
7. The Mukhiya, Gram Panchayat Govindpur, P.S. and Block-Falka, Dist.-Katihar
8. The Panchayat Secretary, Govindpur, Gram Panchayat Raj, Block and P.S. and Falka, Dist.-Katihar
9. Md. Najrul Hassan S/o Md. Majib Resident of Salehpur, Maheshpur, Post Office-Salehpur, P.S. Falka, Dist.-Katihar
10. Jay Prakash Mandal S/o Manik Chand Mandal Resident of village and P.O. Bhangha, P.S.-Falka, Dist.-Katihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Durgesh Kumar, Adv.
For the Respondent/s : Mr. Subash Chandra Mishra (Sc 16)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

9 15-12-2025 Heard learned counsel for the petitioner as well as
counsel for the respondents.

2. Despite several opportunity given to the counsel for the petitioner to rebut the findings, recorded by the State Appellate Authority, Education Department, Bihar the petitioner's counsel has not come up with any prudent ground of interference. It is clear that the learned District Appellate



Authority has categorically held that the counseling held on 29.06.2007 and 30.06.2007 is not in accordance with law and the entire process being non-transparent has been held to be illegal and the State Appellate Authority after making detailed deliberation have directed for fresh counseling in accordance with law and detailed guidelines have also been indicated in the impugned order for completing the process of counseling. While adjudicating issues, the State Appellate Authority, did not find any cogent reason to take a different view from the views taken by the District Appellate Authority, which on facts were established that without issuing individual notice to the candidates, the process of counseling was concluded, which was not in accordance with law.

3. In view of the concurrent findings arrived by the District Appellate Authority as well as State Appellate Authority and the petitioner having not been found to be in a position to rebut such findings, this court does not find any material defect in the impugned order and accordingly this writ petition is dismissed.

(Ajit Kumar, J)

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