

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14809 of 2017

Mrigendra Kumar Yadav Son of Nathuni Prasad Yadav Resident of
Village/Mohalla - Gidhan, P.O. - Songarhwa, P.S. - Fulwariya, District -
Gopalganj, Pin Code - 841425 Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. Principal Secretary, Department of Education, Government of Bihar, Patna.
3. Director, Primary Education, Government of Bihar, Patna.
4. District Education Officer, Gopalganj, District - Gopalganj Bihar.
5. Block Development Officer , Panchdeori, District - Gopalganj Bihar.
6. Block Education Officer, Panchdeori, Block - Panchdeori, District - Gopalganj Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Raju Giri, Adv Mr. Bipin Bihar Singh, Adv
For the State	:	Mr. Ram Vinay Pd. Singh, AC to GA-XII

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

6 12-12-2025 Heard learned counsel for the petitioner and learned
counsel for the respondent-State.

2. In the present writ application, the petitioner has
prayed for the grant of following reliefs:

“(i) To issue an appropriate writ/order/direction, in the nature of certiorari for quashing the Letter No. 12551 dated 31.05.2016 as far as it relates to the Petitioner, issued under the Signature of the District Programme Officer, Establishment, Gopalganj whereby and whereunder all concerned Block Development Officers, Block Education Officers and Panchayat Secretaries of the District were directed to



not allow those Teachers, who were appointed after 24.01.2014 and even in whose favour there is an order of appointment by the Appellate Authority or even of the Hon'ble High Court without taking permission from the Department, as far as it concerns to the Petitioner. (As contained in Annexure-8).

(ii) To issue an appropriate writ/order/ direction, in the nature of mandamus commanding the Respondents to immediately appoint the Petitioner on the post of Prakhand Teacher in the Prakhand Panchdeori as per the Order/ Direction dated 20.05.2015 passed by the Teachers Appellate Authority, Gopalganj.

(iii) To any other relief or reliefs for which the Petitioner is entitled to.”

3. It is strange that the petitioner has prayed for quashing of letter no. 12551 dated 31.05.2016 issued by the District Programme Officer (Establishment), Gopalganj for the reason that the same letter was under challenge in another case bearing CWJC No. 12350 of 2016 and in the said writ application, final order was passed on 03.03.2017 by which the said letter was quashed and set aside. Therefore, when already the letter dated 12551 dated 31.05.2016 passed by the District



Programme Officer (Establishment), Gopalganj has been quashed by a co-ordinate Bench of this Court, the said letter does not survive anymore and could not have been challenged in this application. The present application to this extent is completely ill-conceived and deserves to be dismissed on this count alone.

4. However, taking note of the fact that there is an order/direction dated 20.05.2015 passed by the District Teachers Appellate Authority in favour of the petitioner, which as per the petitioner, has till date not been complied with, this application is disposed of granting liberty to the petitioner to approach the District Teachers Appellate Authority for execution of the order dated 20.05.2015 passed in Appeal No. 171/14.

5. Accordingly, this writ application stands disposed of with liberty as aforesaid. All pending interlocutory application(s), if any, shall also be deemed to have been disposed of.

(Alok Kumar Sinha, J)

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