

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.16746 of 2023**

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1. Md. Mukhtar Alam Son of Md. Mustafa Ansari Resident of Bari Talab, P.O. and P.S. Pakaribarawan, District-Nawada.
  2. Md. Faiyaz Alam Khan Son of Md. Fakruddin Khan Resident of Bari Talab, P.O. and P.S. Pakaribarawan, District-Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Human Resources, Govt. of Bihar, Patna.
2. The District Magistrate, Nawada.
3. The District Education Officer, Nawada.
4. The District Programme Officer, Establishment, Nawada.
5. The Mukhiya Cum-Chairman Panchayat Teacher Selection Committee Under the Gram Panchayat Raj Dosoot, Block Warisaliganj, P.S. Pakari Barawan, District-Nawada.
6. The Panchayat Secretary Cum-Secretary of Panchayat Teachers Selection Committee Under the Gram Panchayat Raj Dosoot, Block Warisaliganj, P.S. Pakaribarawan, District-Nawada.
7. Nitu Kumari D/o Sri Arun Kumar, Wife of Rakesh Singh Village Chainpura, P.O. and P.S. Warsaliganj, District-Nawada.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Ram Vinay Pd. Singh  
For the Respondent/s : Mr. Raghwanand ( Ga 11 )

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

4      27-01-2025              Heard learned counsels for the parties.

2.      The petitioners have approached this Court for the following reliefs:

*(i) For setting aside the impugned order dated 03.09.2021, passed in Appeal Case No.314/2019, passed by learned State Appellate Authority (Education Department), Bihar, Patna, whereby and whereunder Appeal against the order bearing Memo No.565 dated 07.08.2010*



*passed by learned District Teachers Employment Appellate Authority, Nawada has not been decided on merits rather statutory appeal has been said to be infructuous on the ground that certified copy of the impugned order dated 07.08.2010, passed by District Appellate Authority is not being issued as the same is not signed by Presiding Officer of the Tribunal despite the fact that the impugned order is signed and the appeal before State Appellate Authority was remitted back by the order of this Court passed in C.W.J.C. No.17751/2010 disposed of on 20.08.2018.*

*(ii) For setting aside the impugned order bearing memo No.565 dated 07.08.2010, passed by learned District Teachers Appellate Authority, Nawada whereby and whereunder the appointment of the petitioners have been cancelled after more than three years of working on the ground that selection of the petitioners were made by the Panchayat Teacher selection Unit against the reserved post which is not permissible.*

*(iii) For re-instatement of the petitioner in service with all consequential monetary benefits.*

*(iv) For any other relief for which the petitioners are found entitled to in the facts and circumstances of the case.*

3. Vide order dated 15.07.2024, Memo No.565, dated 07.08.2010 from District Appellate Authority, Nawada was called for by a co-ordinate Bench of this Court. In compliance, learned counsel for the State produced a file in the Court and from its perusal, it appears that the Presiding Officer has already signed on the order dated 07.08.2010.



4. Considering this fact, petitioners are directed to apply for the issuance of certified copy of the Memo No.565 dated 07.08.2010 and the District Appellate Authority, Nawada is directed to issue the certified copy of the Memo No.565 dated 07.08.2010, to the petitioners.

5. With the aforesaid directions, this writ application stands disposed of.

6. However, the petitioners are at liberty to pursue the matter in accordance with law.

**(Anjani Kumar Sharan, J)**

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