




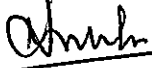
No. of Order	of Order	Order with Signature	Office Note as to action (if any) taken on Order
19.	20.5.08	<p>Present: Mr. A. Moulik, Sr. Advocate with Mr. N.G. Sherpa, Advocate for the Petitioner.</p> <p>Mr. S.P. Wangdi, Advocate General with Mr. J.B. Pradhan and Mr. Karma Thinlay, Govt. Advocates for the State-Respondents.</p> <p>...</p> <p>The writ petition itself and the addition of party application are taken up together. The only writ petitioner whose case is still survives is writ petitioner No. 4 i.e. Ram Narayan Sharma. He was a prospective candidate for appointment as PGT Biology Teacher.</p> <p>The merit panel which was prepared in the instant matter is given at page 60 in the affidavit-in-opposition filed by the State and the said petitioner is placed there at position No. 8. It appears that the merit panel was not allowed on the basis of a Court order to expire within one year as was originally the scheme, but that it expired later on, in or about the month of January, 2007. Before that two persons had been appointed, one was from the panel who was placed at No. 1 and another was an in-service candidate and he was also at the top of the prospective promotees.</p> <p>No objection can be raised to these events.</p>	



W.P. - 9/06

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		<p>justice, 3 weeks' time is granted to the State Respondents so as to enable them to file Counter Affidavit within 3 weeks and, it is made clear that the Petitioner No. 4 is at liberty to file Rejoinder, if so advised. The matter be listed on 4.6.2007 for necessary orders.</p> <p><i>A.N. Ray</i> (A.N. Ray, CJ)</p> <p><i>N.S. Singh</i> (N.S. Singh, J)</p>	<p>This is D.B. Mathur, J. In the H. J. Singh (S) is an medical officer. List it on 10.6.07 In the Rejoinder accordingly. D.O. <i>10/6/07</i></p> <p>He is the Justice at the H. J. Singh (S) has taken leave on 25.6.07 to 2.7.07. List this matter on 10.6.07 In the Rejoinder accordingly. D.O. <i>25/6/07</i></p> <p>He is the Justice at the H. J. Singh (S) resigned on 12.7.07 as a mark of respect the H. J. Singh will be closed on 16.7.07. List this case on 10.6.07 In the Rejoinder accordingly. <i>12/7/07</i></p>



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		<p>What happened thereafter was that from the panel commencing from March 2007, Nos. 2, 3 and 4 were also appointed.</p> <p>Although many arguments have been advanced and the rejoinder of the writ petitioner has been placed more in detail than the writ petition itself, in spite of our best efforts, we have been unable to understand how the writ petitioner can have any grievance as against the appointments or how he can ultimately place himself higher than the persons who had done better than him in the examination in question. The addition application is for adding the said merit list candidates 2, 3 and 4 as respondents to the writ petition.</p> <p>We are of the opinion that these private persons should not be dragged into litigation which is of the present nature and which discloses nothing unreasonable nor any injustice, at least so far as petitioner No. 4 merit list candidate No. 8 is concerned. Both the applications are dismissed without any order as to costs.</p> <div style="text-align: right;"> (A.N. Ray, CJ)  (A.P. Subba, J)</div>	