

IN THE HIGH COURT OF JUDICATURE AT PATNA
CWJC No.9705 of 2010

1. SIMPAL KUMARI, D/O VEDBHUSHAN PRASAD SINGH,
R/O VILLAGE NIRPUR, P.S. CHAUTHAM, DISTRICT-
KHAGARIA.

Versus

1. THE STATE OF BIHAR THROUGH THE PRINCIPAL
SECRETARY, HUMAN RESOURCES DEPARTMENT, BIHAR,
PATNA.

2. PRINCIPAL SECRETARY, HUMAN RESOURCES
DEPARTMENT, BIHAR, PATNA.

3. DISTRICT TEACHER APPOINTMENT APPELLATE
TRIBUNAL, KHAGARIA THROUGH ITS MEMBER, KHAGARIA,
BIHAR.

4. THE DISTRICT MAGISTRATE, KHAGARIA.

5. THE DISTRICT SUPERINTENDENT OF EDUCATION,
DISTRICT- KHAGARIA.

6. THE BLOCK EDUCATION EXTENSION OFFICER,
CHAUTHAM, DISTRICT- KHAGARIA.

7. THE PANCHAYAT SECRETARY, GRAM PANCHAYAT RAJ
NIRPUR, P.S.- CHAUTHAM, KHAGARIA.

8. THE MUKHIYA, GRAM PANCHAYAT RAJ NIRPUR, P.S. -
CHAUTHAM, KHAGARIA.

9. ASHA KUMARI, D/O ASHOK KUMAR, R/O VILLAGE
NIRPUR, P.S. CHAUTHAM, DISTRICT- KHAGARIA.

2. 28.02.2011 The illegality in the appointment of the
petitioner is writ large from the findings recorded by
the District Teachers Appointment Appellate
Authority.

The so called degree obtained is highly
questionable. Whether it is recognized by the State of
Bihar is yet another issue. The tribunal has recorded
that the petitioner seems to have been
accommodated by the Panchayat Secretary on the
ground that she happened to be daughter of the
Mukhiya of the Panchyat. Obviously the selection

has been made for extraneous reasons and not entirely on merit as persons having much higher marks and merits have been ignored on the spurious ground that they did not turn up even though information was given Under Certificate of posting.

In large number of cases position has emerged before this Court that even though there is rampant unemployment in the State a stand is taken that information was given under certificate of posting but candidates did not turn up so persons with lesser marks were appointed. It is too much a set pattern to accept such a stand of the respondents. It is a ploy to accommodate the chosen ones.

If it is so, the findings reached by the tribunal does not require interference.

This writ has no merit it is dismissed.

Anand Kr.

(Ajay Kumar Tripathi, J.)