



2026:PATHC:7591

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16669 of 2025

1. Dakshineshwar Prasad Rai S/o Fanishwar Nath Renu, R/o Vill. and P.O. Aurahi Hingna, P.S. Simraha, District- Araria.
2. Sanjeev Kumar S/o Ashok Kumar Pandit, R/o Vill. and P.O. Gitwas, P.S. Raniganj, District-Araria.
3. Pintu Kumar Paswan S/o Bindeshwari Paswan, R/o Vill. and P.O. Madhulatta, P.S. Raniganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education Deptt., Govt. of Bihar, Patna.
3. The District Magistrate, District - Araria.
4. The District Education Officer, District - Araria.
5. The District Program Officer, (Establishment), Dist - Araria.
6. The Block Education Officer, Raniganj. District- Araria
7. Mukhiya, Gram Panchayat Raj Mazhua Pashchim, Block -Raniganj, District - Araria.
8. Panchayat Secretary, Gram Panchayat Raj Mazhua, Pashchim, Block-Raniganj, District - Araria.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 16673 of 2025

1. Rajeev Kumar Raj S/o Umesh Prasad Sah, R/o Vill. and P.S. Raniganj, P.O. Meriganj, District- Araria.
2. Priyanka Kumari D/o Lalan Prasad Bhagat, R/o Sadar Road, Ward No. 11, Forbesganj, P.S. - Forbesganj, District- Araria.
3. Pinki Kumari D/o Ramvilas Paswan, R/o Vill. Bairakh, P.O. Koshkapur, P.S. Raniganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director Primary Education, Department of Education, Govt. of Bihar, Patna.
3. The District Magistrate, District - Araria.
4. The District Education Officer, District - Araria.





5. The District Program Officer, (Estab), District- Araria.
6. The Block Education Officer, Raniganj, District- Araria
7. Mukhiya, Gram Panchayat Raj Koshkapur Dakshin, Block Raniganj, District - Araria.
8. Panchayat Secretary, Gram Panchayat Raj Koshkapur Dakshin, Block-Raniganj, District - Araria

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 16692 of 2025

1. Niraj Kumar Bhagat S/o Late Ramji Prasad Bhagat, R/o Ward No.14, Shiv Mandir Road, Near Central Public School, Forbesganj, District- Araria.
2. Bibi Nuzhat Parween, D/o Md. Kafiluddin, R/o Vill. and P.O- Dhama, P.S. Raniganj, District- Araria.
3. Krishna Kumar, S/o Yogendra Paswan, R/o Vill., P.O. and District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director Primary Education, Department of Education, Govt. of Bihar, Patna.
3. The District Magistrate, District- Araria.
4. The District Education Officer, District- Araria.
5. The District Program Officer, (Estab), District- Araria.
6. The Block Education Officer, Raniganj, District- Araria.
7. The Panchayat Niyojan Unit, Mukhiya Gram Panchayat Raj Dhama, Raniganj, Dist- Araria through the Panchayat Secretary, Gram Panchayat Raj Dhama, Raniganj, Araria.
8. The Mukhia, Gram Panchayat Raj Dhama, Raniganj, Araria.

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 16849 of 2025

1. Sunita Kumari D/o Raj Kumar Sah, R/o College Chowk Forbesganj, P.S. Forbesganj, District- Araria.
2. Md. Farooque, S/o Babar Ali, R/o Vill. Jagta Kharsahi, P.S. Raniganj, District- Araria.
3. Mamta Kumari, D/o Yogendra Prasad Mehta, R/o Vill. Madhulatta, P.S.





Raniganj, District- Araria.

4. Rahul Kumar, S/o Late Vijay Kumar Prasad, R/o Vill. - Maharaja College, Uttari Nawada, District- Araria.
5. Priyanka Kumari, D/o Bhupendra Prasad Ram, R/o vill.- Renu Gaon, Aurahi, Simraha, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director Primary Education, Department of Education, Govt. of Bihar, Patna.
3. The District Magistrate, District- Araria.
4. The District Education Officer, District- Araria.
5. The District Program Officer, (Estab), District- Araria.
6. The Block Education Officer, Raniganj, District- Araria.
7. The Panchayat Niyojan Unit, Mukhiya Gram Panchayat Raj Gunwanti, Raniganj, District- Araria through the Panchayat Secretary, Gram Panchayat Raj Gunwanti, Raniganj, Araria.
8. The Mukhia, Gram Panchayat Raj Gunwanti, Raniganj, Araria.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 16872 of 2025

1. Abdhesh Kumar Mandal S/o Madan Lal Mandal, R/o vill.- Lahsunganj, Ward No. 5, P.O. - Khawaspur, P.S. Simraha, Forbesganj, District- Araria.
2. Suman Kumari, S/o Dilip Kumar, R/o Vill. Dumaria, Narpatganj, District- Araria.
3. Partosh Kumar Jha, S/o Binodanand Jha, R/o vill. Shripur, P.S. Pratapganj, District- Supaul.
4. Preeti Kumari, D/o Bhubneshwar Yadav, R/o Vill. Khabdah, P.O. - Kanhaili, Narpatganj, District- Araria.
5. Gazala Sabiha, D/o Md. Jamil, R/o Vill. Mirzapur, P.O. Mirzapur Kothi, P.O. Simraha, District- Araria.
6. Arvind Kumar Sah, S/o Saryug Prasad Sah, R/o Vill. Darapipar, P.O. and P.S. Kursakanta, District- Araria.
7. Neel Gagan Bhaskar, S/o Nandi Harijan, R/o Vill. Purani Jail, Marumganj, District- Saharsa.

... .. Petitioner/s

Versus





1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Director Primary Education, Department of Education, Govt. of Bihar, Patna.
3. The District Magistrate, District- Araria.
4. The District Education Officer, District- Araria.
5. The District Program Officer, (Estab.), District- Araria.
6. The Block Education Officer, Narpatganj, District- Araria.
7. The Panchayat Teachers Employment Unit, Gram Panchayat Raj Garuraha Vishanpur, through its Secretary.
8. The Mukhiya, Gram Panchayat Raj Garuraha Vishanpur, Block- Narpatganj, District- Araria.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 16669 of 2025)

For the Petitioner/s : Mr. P.K. Jha, Adv.
Mr. A.K. Jha, Adv.
For the Respondent/s : Mr. K.P. Gupta, GP-10

(In Civil Writ Jurisdiction Case No. 16673 of 2025)

For the Petitioner/s : Mr. Purushottam Jham, Adv.
For the Respondent/s : Mr. Mujtabaul Haque. GP-12
Mr. Vasant Vikas, AC to GP-12

(In Civil Writ Jurisdiction Case No. 16692 of 2025)

For the Petitioner/s : Mr. Purushottam Jha, Adv.
For the Respondent/s : Mr. Ranjan Kumar, AC to AAG-9

(In Civil Writ Jurisdiction Case No. 16849 of 2025)

For the Petitioner/s : Mr. Bishwash Vijeta, Adv.
For the Respondent/s : Mr. Sarvesh Kumar Singh, AAG-13

(In Civil Writ Jurisdiction Case No. 16872 of 2025)

For the Petitioner/s : Mr. Purushottam Kumar Jha, Adv.
For the Respondent/s : Mr. Vivek Arshad, GP-7
Mr. Sanjay Kumar, AC to GP-7
Ms. Roona, AC to GP-07

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 22-01-2026

Heard the parties.

2. The petitioners, in all the writ petitions, are the candidates for the post of Panchayat Teachers; having requisite





qualification, participated in the selection process in the year 2008 in different Gram Panchayat under the District of Araria, and said to have been finally selected against different schools vide different appointment letters. Consequent upon their selection as Panchayat Teacher in different primary/middle school, they submitted their respective joining report before the Block Education Extension Officer, however, by one reason or other, the joining application of the petitioners had not been accepted.

3. Aggrieved, the petitioners filed appeal/complaints before the District Teacher's Appointment Appellate Authority, long back in the year 2011, for a direction upon the respondents concerned to allow them to discharge their duties, in their respective schools. Despite repeated reminders before all the authorities on different dates, no action has been taken; besides the District Appellate Authority also failed to register the application/complaint of the petitioners, thus, some of the petitioners along with others, moved before the State Appellate Authority by filing different appeals, including O.A. Nos. 238 of 2022, 273 of 2022, 294 of 2022, 301 of 2022, and 286 of 2022. All the afore-noted original appeals came to be disposed off by holding the appellant's /petitioner's to be fencesitters, as they





failed to challenge the wrongful action in their cases and they woke up after long delay, only because of the reasons that their counterparts who have approached the Court earlier in time, succeeded in their efforts.

4. Learned Advocate for the petitioners submitted that since the State Appellate Authority has dismissed the original appeals, noted hereinabove, in complete mechanical manner, without touching the merit of the case, the petitioners have approached the District Appellate Authority, Araria, for the adjudication of their case on merit. The District Appellate Authority, Araria by different orders after having taken note of all the relevant facts involved in the cases, observed that the order of the Block Education Extension Officer, refusing to accept the joining of the petitioners, is obviously required to be set aside, but, as the petitioners have approached before the State Appellate Authority, who had declined to grant relief, it is not possible to interfere in the matter, accordingly, dismissed the respective appeals filed by the District Appellate Authority, Araria.

5. A counter affidavit as well as supplementary counter affidavit has been filed on behalf of concerned respondents. It is submitted that the petitioners are intending to





take all the steps to revive their cause of action, which had been lost on issue of delay and duly sealed by the State Appellate Authority, but surprisingly, instead of assailing the order of the State Appellate Authority, they approached the District Appellate Authority, Araria knowing very well that the amended rules do not permit any new appointment. It has also been contended that the petitioners have neither approached the District Appellate Authority in the year 2011 and subsequently nor filed any representations, which have been received or registered; hence the vacant posts were not treated as disputed, and thus, merged into the next process of appointment in pursuant to the departmental letter no. 465, dated 09.07.2012.

6. Mr. Jha, learned Advocate for the petitioners, submitted that identical issue has come up for consideration before a coordinate Bench of this Court in C.W.J.C. No. 16599 of 2025, wherein the Court on being found that the District Appellate Authority had applied its mind, but because of the order passed by the State Appellate Authority on technical ground, did not exercise its power, which technically should not have been an impediment for the authority in adjudicating the claim of the petitioners on merit. Accordingly, the learned Court set aside the order passed by the District Appellate Authority, as





well as State Appellate Authority, and relegated the matter to the District Appellate Authority, Araria, for adjudicating the petitioner's claim on its merit, without being affected by any observations made in the aforementioned orders. Referring to the order passed by the learned coordinate Bench of this Court, the learned Advocate for the petitioners submitted at the Bar that the cases of the petitioners are also covered with the legal principle as enumerated hereinabove by the Court and, as such, he prays that all the matters be disposed off in identical terms.

7. Having considered the submissions advanced by learned Advocate for the respective parties, and taking note of the order passed in C.W.J.C. No. 16599 of 2025, this Court, in order to maintain uniformity, finds it apt and proper to dispose off all the writ petitions in identical terms by setting aside the impugned orders passed by District Appellate Authority as well as the order passed by the State Appellate Authority in O.A. Nos. 238 of 2022, 273 of 2022, 294 of 2022, 301 of 2022, and 286 of 2022.

8. The District Appellate Authority, Araria, is directed to adjudicate the petitioner's claim on its merit afresh after giving opportunity to all the stakeholders, preferably within three months from the date of production or receipt of a copy of





this order.

9. All the writ petitions stand allowed, with the
aforesaid direction.

(Harish Kumar, J)

supratim/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.01.2026
Transmission Date	NA

