

(2007) 02 PAT CK 0024
In the Patna High Court
Case No : CWJC No. 1305 of 2007

Nand Gopal Singh

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

Date of Decision : 01-02-2007

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2007) 2 PLJR 699

Hon'ble Judges : J.N. Bhatt, C.J;S.K. Sinha, J

Bench : Division Bench

Advocate : Gopal Govinda Mishra, for the Appellant;

Judgement

1. By this petition under Article 226 of the Constitution of India, the matter is sought to be categorized as a Public Interest Litigation seeking a direction to the respondent-authorities to cancel the panel and list of appointment of Block Teachers under Sarva Siksha Abhiyan after appropriate inquiry as the matter relates to the grave violation of Bihar Prarambhik Shikshak (Niyojan and Seva Satra) Niyamavali, 2006. It is celebrated principles of Saw that ordinarily service matters are not taken up in the Public Interest Litigation as it could be raised in a private litigation. Again, the challenge is against the Rules and, if that be so, the petitioner could resort to private litigation. Parameters for entertaining of the Public Interest Litigation are very well expounded and established.

2. Keeping in mind those principles, as well as, factual aspect, we are not inclined to entertain this petition under the banner of the Public Interest Litigation. Hence, it shall stand dismissed without going into the merits of the matter. Notice is discharged. No cost.