

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.290 of 2025
In
Civil Writ Jurisdiction Case No.10380 of 2019

=====
Md Aslam Ali Quadri @ Md. Aslam Ali Kadri

... .. Appellant/s

Versus

The State of Bihar & Ors.

... .. Respondent/s

=====
Appearance :

For the Appellant/s : Mr. Binod Kumar Sinha, Advocate
For the Respondent/s : Mr. A.C. to A.A.G.-13

=====
CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

6 02-02-2026 This Letters Patent Appeal has been filed by the appellant, Md. Aslam Ali Quadri @ Md. Aslam Ali Kadri, challenging the order dated 08.05.2024 passed by the learned Single Judge in C.W.J.C. No. 10380 of 2019.

2. The writ petition was filed by the appellant seeking to set aside the order dated 01.04.2019 passed in Appeal No. 144 of 2018 by the State Appellate Authority, Patna, whereby the order dated 08.12.2009 passed in Case No. 674 of 2009 by the District Teachers Employment Appellate Authority, Darbhanga was quashed on the ground of lack of jurisdiction. Consequently, the employment of the petitioner to the writ petition was cancelled, and the Panchayat Employment Unit



was directed to hold a fresh counselling by inviting Respondent No. 7 to the writ petition, the petitioner and other candidates above him in the merit list, intimating the date, time, and venue of counselling. A further direction was issued to the Block Development Officer to complete the entire process under his supervision within a period of three months from the date of receipt of the order.

3. Upon issuance of notice, a counter-affidavit was filed on behalf of Respondent No. 2 by the District Programme Officer, Darbhanga. A separate counter-affidavit was also filed on behalf of Respondent No. 7. The petitioner thereafter filed replies to both counter-affidavits.

4. The learned Single Judge, vide the impugned order, was pleased to hold that in view of the decision of this Court in the case of *Amarnath Kesri and Narendra Kumar Jha*, reported in **2018 (4) PLJR 660**, the Tribunal had no power to hear or decide an issue which had already been decided by the predecessor body. Accordingly, it was held that the State Appellate Authority had rightly passed the order. Considering the judgment of this Court in the aforesaid case, the learned Single Judge found no illegality in the order passed by the State Appellate Authority.



5. When we posed a question to the learned counsel for the appellant as to, in view of the decision rendered by this Court in *Amarnath Kesri and Narendra Kumar Jha (supra)*, what perversity existed in the order passed by the learned Single Judge, learned counsel for the appellant sought some time to examine the ratio laid down in the aforesaid decision and also to verify whether the said decision had been challenged before any higher forum and, if so, the result thereof.

6. Put up this matter on 16.02.2026.

(Sangam Kumar Sahoo, CJ)

(Nani Tagia, J)

Neha/-

U			
---	--	--	--

