

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6080 of 2015

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1. Geeta Devi, wife of Sri Harendar Prasad Rai, resident of village- Pojhi, P.O.- Pojhi, P.S.- Derni, District, Saran.
 2. Manoj Kumar, son of Bhuneshwar Prasad Rai, resident of village- Pojhi, P.O.- Pojhi, P.S.- Derni, District, Saran.
 3. Kiran Kumari, Daughter of Ramji Rai, resident of village- Pojhi, P.O.- Pojhi, P.S.- Derni, District, Saran.
 4. Mahabeer Prasad, son of Ghughali Prasad, resident of village- Pojhi, P.O.- Pojhi, P.S.- Derni, District, Saran.
 5. Sabita Kumari, wife of Prempal Singh, resident of village- Dharni Tola, P.O.- Pirauna, P.S.- Garkha, District- Saran.
 6. Rita kumari, daughter of Lal Bahadur Ray, resident of village- Jaminpur, P.O.- Pojhi, P.S.- Derni, District, Saran.
 7. Daizy Kumari, daughter of Vijay Singh, resident of village- Garkha, P.O.- Garkha, P.S.- Garkha, District- Saran.
 8. Isharat Jahan, daughter of Md. Ayub, resident of village- Dhoye Takiya, P.O.- Bag, P.S.-Khaira, District- Saran.
 9. Prem Kumar, son of Kameshwar Singh, resident of village-Sisawani, P.O.- Fursatpur, P.S.- Derni, District, Saran.
 10. Nitesh Kumar, son of Inardev Singh, resident of village- Simra, P.O.- Parsa Bazar, P.S.- Parsa Bazar, District-Patna.
 11. Jyotsana Nilam, daughter of Suresh Sharma, resident of village-Sisauni, P.O.- Fursatpur, P.S.- Derni, District- Saran.
 12. Ranjana Kumari, Daughter of Lalan Ray, resident of village-Sisauni, P.O.- Fursatpur, P.S.- Derni, District- Saran.
 13. Subhas Chandra Singh, son of Raj Narayan Singh, resident of village-Dariyapur, P.O- Dariyapur, P.S.- Dariyapur, District- Saran.
 14. Vivekanand Kumar, son of Brahm Dev Paswan, resident of village- Dafarpur, P.O.- Dafarpur, P.S.- Nawkothe, District- Begusarai.
 15. Manoj Kumar, son of Ram Babu Prasad Ray, resident of village- Ibrahimpur, P.O- Dariyapur, P.S.- Dariyapur, District- Saran.
 16. Amit Kumar, son of Prithvi Nath Yadav, resident of village- Apahar, P.O.- Apahar, P.S- Amnour, District- Saran.
 17. Poonam, daughter of Prithvi Nath Yadav, resident of village- Ibrahimpur, P.O+P.S.- Dariyapur, District- Saran.
 18. Manoj Kumar Ray, son of Jai Mangal Ray, resident of village-Jamira, P.O.- Pojhi, P.S.- Dariyapur, District- Saran.
 19. Pappu Kumar Nirala, son of Baidhnath Ram, resident of village-Bhagwanpur, P.O+P.S.- Dariyapur, District- Saran.
 20. Sabita Kumari, son of Awadh Bihari Ram, resident of village-Rajapur, P.O.+P.S.- Nayagaon, District-Saran.
 21. Krishna Choudhari, son of Lal Babu Choudhari, resident of village-Datiyapur, P.O.+P.S.- Dariyapur, District- Saran.
 22. Kumari Usha, daughter of Ram Prasad, resident of village-Kewatiya, P.O.+P.S.- Dariyapur, District- Saran.
 23. Rita Kumari, daughter of Shivji Ram, resident of village-Basantpur, P.O.- Shobhepur, P.S.- Bheldi, District-Saran.
 24. Sima Kumari, daughter of Roshan Pandit, resident of village- Chandpura, P.O.- Apahar, P.S.- Bheldi, District- Saran.
 25. Raj Narayan Rai, son of Punit Lal Rai, resident of village- Pojhi, P.O.- Pojhi, P.S.- Derni, District, Saran.
 26. Imteyaj Alam, son of Md. Hadish Ansari, resident of village-Bathuai, P.O.- Maker, P.S.- Maker, District- Saran.
 27. Kumar Nagmani, son of Raghu Prasad Yadav, resident of village- Ibrahimpur,

- P.O- Dariyapur, P.S.- Dariyapur, District- Saran.
28. Santosh Kumar Singh, son of Kamla Singh, resident of village- Sanjha, P.O.- Basant, P.S.-Derni, District-Saran.
29. Vinod Kumar Singh, son of Pancha Nand Singh, resident of village-Bansdih, P.O.-Madarpur, P.S.-Bheldi, District- Saran.
30. Guriya Kumari, wife of Jitendra Prasad Singh, resident of village-Maheshiya, P.O.- Fursatpur, P.S.-Derni, District- Saran.
31. Puja Rani, daughter of Vishwakarma Prasad, resident of village- Marhwrah Khurd, P.O.+P.S.-Marhwrah, District-Saran.
32. Shahina Khatoon, wife of Shamsheer Ali, resident of village- Pipar Pati, P.O.- Pipar Pati, P.S.- Sahajitpur, District- Saran.
33. Gayatri Kumari, daughter of Nand Kishore Singh, resident of village- Shashtri Nagar, P.O.+P.S.- Shastri Nagar, District- Patna.
34. Shobha Kumari @ Shobha Devi, daughter of Chandeswar Prasad Singh, resident of village-Bansdih, P.O.- Badarpur, P.S.- Bheldi, District-Saran.
35. Malti Kumari, daughter of Sukaldev Pandit, resident of village-Basaradhi, P.O.- Gurukul Mehiya, P.S.- Muffasil Chapra, District- Saran.
36. Ram Babu Bhaitha, son of Harendra Bhaitha, resident of village-Tehati, P.O.- Silhauri, P.S.-Marhwrah, District-Saran.
37. Sarita Kumari, daughter of Arjun Singh, resident of village- Daulatpur, P.O.- Daulatour, P.S.-Koilwar, District-Bhojpur.
38. Randheer Kumar Singh, son of Prabhu Nath Singh, resident of village-Bansdih, P.O.-Madavpur, P.S.-Bheldi, District-Saran.
39. Ramesh Kumar Manjhi, son of Moti Charan Manjhi, resident of village-Mala, P.O.-Gurukul Mehiya, P.S.-Muffasil Chapra, District-Saran.
40. Ranjeet Kumar, son of Jaleswar Ram, resident of village-Mdarpur Paswa, P.O.-Mdarpur, P.S.- Bheldi, District-Saran.
41. Chanda Kumari, daughter of Wakil Singh, resident of village-Dhorlahi, P.O.- Dharlahi, P.S.-Amnour, District-Saran.
42. Sima Kumari, daughter of Shivaji Singh, resident of village-Sultanganj, P.O.- Phulwariya, P.S.-Amnour, District-Saran.
43. Mokhtar Singh, son of Dharma Nath Singh, resident of village-Bansdih, P.O.- Madarpur, P.S.-Bheldi, District- Saran.
44. Birendra Kumar Singh, son of Ram Dahin Singh, resident of village-Koreya, P.O.- Koreya, P.S.-Bheldi, District- Saran.
45. Radhey Shyam kumar, son of Bachha Prasad Patwa. Resident of village-Mouna Chock, Purani Gurhati, P.O.-Chapra, P.S.- Chapra Town, District- Saran.
46. Anil Kumar, son of Dularchand Prasad, resident of village-Sadha Khemaji Tola, P.S.- Sadha, P.S.- Muffasil Chapra, District- Saran.
47. Suman Kumar Singh, son of Subhash Singh, resident of village-Bhaluhi, P.O.- Bhaluhi, P.S.- Marharah, District- Saran.
48. Chandrawati Kumari, daughter of Prabhakar Kumar, resident of village-Koreyan, P.O.- Koreyan, P.S.-Bheldi, District- Saran.
49. Aradhna Kumari Shrivastava, wife of Subodh Singh, resident of village-Pirauna, P.O.- Pirauna, P.S.- Garkha, District- Saran.
50. Seraza Khatoon, daughter of Md. Rahimudin, resident of village-Arna, P.O.- Shobhepur, P.S.-Bheldi, District- Saran.
51. Sangita Kumari, resident of village- Shiv Nath Pandit, resident of village-Basadhi, P.O.- Gaurikul Mehiya, P.S.-Muffasil Chapra, District-Saran.
52. Sujata Kumari Sinha, wife of Manoj Singh, resident of village-Thara Thakurbari, P.O- Maker, P.S.- Maker, District- Saran.
53. Manoj Kumar, son of Rajendar Ram, resident of village-Kasina, P.O.- Gohpur, P.S.- Garkha, District- Saran.
54. Rabindra Sharma, son of Sardul Sharma, resident of village-Tehati, P.O.- Shilhauri, P.S.-Marhwrah, District-Saran.
55. Renu Gupta, daughter of Awadhesh Kumar Gupta, resident of village-Nehru Chowk, P.O.- Chapra, P.S.- Chapra Town, District- Saran.

56. Nitish Kumar Singh, son of Ashok Kumar Singh, resident of village-Jhaua Patti, P.O.- Parsa Jagani, P.S.-Bheldi, District- Saran.
57. Soni Kumari, daughter of Lal Babu Singh, resident of village-Bansdih, P.O.- Madarpur, P.S.-Bheldi, District- Saran.
58. Nirmala Kumari, daughter of Dular Chandra Manjhi, P.O.-Basant, P.S.-Derni, District-Saran.
59. Parwej Alam, son of Md. Mustakim, resident of village- Sonauli, P.O.- Sonauli, P.S.- Masarakh, District- Saran.
60. Shamsher Ali, son of Md. Daudvaris, resident of village-Piperpati, P.O.- Piparpati, P.S.- Sahajitpur, District- Saran.
61. Vineeta Kumari, daughter of Krishna Kumar Singh, resident of village-Bansdih, P.O.-Madarpur, P.S.-Bheldi, District- Saran.
62. Guriya Kumari, daughter of Vishwa Nath Singh, resident of village-Hingua Nath Tola, P.O.-Jagarnathpur, P.S.-Derni, District, Saran.
63. Rita Kumari daughter of Nand Lal Das, resident of village- Lohri, P.O.- Gurukul Mehiya, P.S.-Mufassil Saran, District-Saran.
64. Dharmendra Kumar, son of Shila Nath Rai, resident of village-Nai Bazar, P.O.- Chapra, P.S.- Chapra, District- Saran.
65. Ranjeet Kumar, son of Prabhunath Singh, resident of village-Bansdih, P.O.- Madarpur, P.S.-Bheldi, District- Saran.
66. Prakash Bharti, son of Satya Narayan Paswan, resident of village-Telrath, P.O.- Tilrath, P.S.- Barauni, District- Begusarai.
67. Md. Minhajudin, son of Manjur Alam, resident of village-Bajitpur, P.O.- Kochasa, P.S.-Kochasa, District-Arwal.
68. Sabnam Praveen, daughter of Hamid Imam, resident of village-Bahrarmarar, P.O.- M.Kueri, P.S.- Parsa, District-Saran.
69. Rubi Kahtoon, wife of Safi Anwar, resident of village- Sitalpur Bazar, P.O.- Shitalpur, P.S.- Dighwara, District- Saran.
70. Sabita Devi, daughter of Ram Padarath Sah, resident of village- Kasba Maker, P.O.+P.S.-Maker, District- Saran.
71. Alpana Kumari, daughter of Shailendra Kumar Yadav, resident of village- Jalalpur, P.O.- Rasulpur, P.S.- Doriganj, District- Saran.
72. Puspa Kumari, daughter of Sri Vishun Dev Sahani, resident of village- Bhelhan, P.O.-Darihara, P.S.-Dariyapur, District- Saran.
73. Sunita Kumari, Husband of Rakesh Kumar, resident of village- Bela, P.O.-Bela, P.S.- Dariyapur, District- Saran.
74. Ritam Kumari, daughter of Yogendra Paswan, resident of village-Tilrath, P.O.- Tilrath, P.S.- Barauni, District- Begusarai.
75. Seema Kumari, daughter of Gajendra Rai, resident of village- Dharmaghat, P.O.- Mujauna, P.S.- Dariyapur, District- Saran.
76. Veena Kumari, daughter of Bharat Prasad Rai, resident of village-Takaya, P.O.- Paiga, P.S.-Bheldi, District-Saran.
77. Rinku Kumari, daughter of Ram Naresh Paswan, resident of village-Bithan, P.O.+P.S.-Bithan, District-Samastipur.
78. Amrita Sinha, Daughter of Krishna Nandan Singh, resident of village-Molnapur, P.O.-Shobhepur, P.S.- Bheldi, District-Saran.
79. Md. Jamil Akhtar Ansari, son of Shamshul Hoda Ansari, resident of village-Shobhepur, P.O.-Shobhepur, P.S.-Bheldi, District-Saran.
80. Manorama Kumari, daughter of Sarwa Rai, resident of village- Hingua, P.O.- Jagarnathpur, P.S.-Derni, District- Saran.
81. Jitendra Prasad, son of Ram Balak Sah, resident of village-Parsa Mathura, P.O.- Parsa, P.S.- Parsa, District-Saran.
82. Sanjay Kumar, son of Ram Pravesch Rai, resident of village- Belhar, P.O.- Dasihara, P.S.- Dariyapur, District- Saran.
83. Subhash Kumar Singh, son of Dashrath Prasad Singh, resident of village-Murli, P.O.-Bhawanipur, P.S.- Rangara Chowk, District-Bhagalpur.
84. Klran Kumari, daughter of Ram Dahin Singh, resident of village-Basdih, P.O.-

Madarpur, P.S.-Bheldi, District- Saran.

85. Md. Salam, son of Md. Jamir Ahmad, resident of village- Marar, P.O.+P.S.- Parsa, District- Saran.

86. Tansim Akhter, Daughter of Akhtar Hussain, resident of village-Makhdumpur Saray, P.O.+P.S.-Siwan, District-Saran.

87. Sabitri Kumari daughter of Nandlal Rai, resident of village-Sahar Diyara, P.O.+P.S.-Sonpur, District-Saran.

88. Mithilesh Kumar, son of Banelal Prasad Rai, resident of village-Belhar, P.O.+P.S.-Dariyapur, District- Saran.

89. Raj Kumar, son of Ram Ayodhya Prasad, resident of village-Belhar, P.O.-Darihara, P.S.- Dariyapur, District- Saran.

90. Saroj kumar, son of Yogendra Sahnai, resident of village- Bheldar, P.O.-Dahinara, P.S.- Dariyapur, District- Saran.

91. Nirmala Kumari, daughter of Shila Nath Sah, resident of village-Koreya, P.O.+P.S.-Khaira, District- Saran.

92. Kamini Kumari, daughter of Shiv Shankar Prasad, resident of village-Parsa Mathura, P.O.+ P.S.- Parsa, District-Saran.

93. Anjali Kumari, daughter of Munni Lal Choudhari, resident of village-Tilrath, P.O.- Tilrath, P.S.- Barauni, District- Begusarai.

94. Kaisar Alam, son of Mahmood Alam Ansari, resident of village-Mahamadpur, P.O.-Bela, P.S.-Dariyapur, District- Saran.

95. Rupa Kumari, daughter of Manvendra Singh, resident of village-Bela, P.O.-Bela, P.S.- Dariyapur, District- Saran.

96. Amrendra Kumar, son of Ramji Singh, resident of village-Sadha Khemaji Tola, P.O.- Sadha, P.S.- Mufassil, District- Saran.

97. Shanti Kumari, daughter of Inardev Singh, resident of village-Bansdih, P.O.-Madarpur, P.S.- Bheldi, District-Saran.

.... Petitioner/s

Versus

1. The State of Bihar null null

2. The Principal Secretary, Education Department, Government of Bihar, Patna. null null

3. The Director, Primary Education, Government of Bihar, Patna.

4. The District Education Officer, Saran at Chapra.

5. The District Programme Officer(Establishment), Saran at Chapra.

6. The Prakhanda Pramukh-cum-Chairman of Block Selection Committee, Block-Dariapur, District- Saran at Chapra.

7. The Block Development Officer, Dariapur, District- Saran.

8. The Block Education Officer, Dariapur, District- Saran.

9. The Member, District Teacher Employment Appellate Authority, Saran at Chapra.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra

For the Respondent/s : Mr. SATYADEO KUMAR- SC5

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 10-07-2015

10.07.2015

Heard learned senior counsel for the

petitioners and the State.

Whatever be the consideration and the reason for non-appointment of the teachers as Block Teachers at the relevant time for the second phase of appointment, which relates to the year 2008, no appointment can be made on that post in view of changed rules or circumstances, including educational qualification and passing of eligibility test, which are mandatory.

Writ application is dismissed.

(Ajay Kumar Tripathi, J.)

SKM/-

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