

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1233 of 2014

=====

1. Manju Kumari W/O Sri Pradeep Kumar Choudhary Resident Of Village And P.O.  
- Piprahi, P.S. - Ladania, District - Madhubani

.... .... Petitioner/s

Versus

1. The State Of Bihar Through Its Principal Secretary, Human Resources Development Department, Government Of Bihar, Patna
2. The Director, Primary Education, Government Of Bihar, Patna
3. The Regional Deputy Director Of Education, Darbhanga Division, Darbhanga
4. The District Magistrate, Madhubani
5. The District Education Officer, Madhubani
6. The District Programme Officer, District - Madhubani
7. The Block Development Officer, Block - Ladania, District - Madhubani
8. The Block Teachers Appointment Committee Through The Chairman (Pramukh), Block - Ladania, District - Madhubani
9. The Block Education Extension Officer, Block - Ladania, District - Madhubani
10. The Headmaster Government Middle School , Piprahi, Block - Ladania, District - Madhubani

.... .... Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr. LAKSHMINDRA KUMAR YADAV  
For the Respondent/s : Mr. GP-24 ANSHUMAN SINGH

=====

**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI**  
**ORAL JUDGMENT**  
**Date: 03-02-2015**

\*\*\*\*\*

**03.02.2015**                      Now that the Principal Secretary, Education, Government of Bihar has issued a clear directive in letter no. 607 dated 15.9.2014, there is no reason why the petitioner cannot continue on the post of a Block Teacher or Panchayat Teacher for having failed to pass eligibility test. Whatever confusion there may have been initially with regard to such teachers, the facts stand that many of them are continuing in their position by virtue of either judicial order or now a clarification issued by the

Principal Secretary of the Department. Since there cannot be two classes of teachers with identical kind of position and status, therefore, any restraint with regard to continuation of this petitioner on his respective post is uncalled for.

The order contained in Annexure - 6, bearing Memo No. 1279, dated 2.10.2013, issued by the Block Education Officer, Ladania in relation to the petitioner stand quashed.

Writ application is allowed.

**(Ajay Kumar Tripathi, J.)**

SKM/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|