

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3488 of 2015

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1. Amarnath Ram Son of Late Khakhanu Ram resident of village + P.O. Hathaura, Police Station - Hussainganj, District - Siwan at Present Posted and working as an Assistant Teacher in Govt. Primary School Shankarpur, Anchal - Zeeradei, District - Siwan
 2. Surendra Yadav Son of Late Lal Chand Yadav resident of village - Tarila, P.O. Telkathu, Police Station - M.H. Nagar, District - Siwan at Present Posted and working as an Assistant Teacher in Govt. Upgraded Middle School Basant Nagar, Anchal - Hasanpura, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna
2. The Director, Primary Education, Bihar, Patna
3. The District Magistrate, Siwan
4. The Regional Deputy Director Education, Saran Division, Chapra
5. The District Education Officer, Siwan
6. The District Programme Officer (Establishment), Siwan
7. The District Treasury Officer, Siwan
8. The Accounts officer, Siwan
9. The Block Education officer, Zeeradei, District - Siwan
10. The Block Education Officer, Hasanpura, District - Siwan
11. The Headmaster - Cum - Drawing and Disbursing officer, Govt. Primary School Shankarpur, Anchal - Zeeradei, District Siwan
12. The Headmaster - Cum - Drawing and Disbursing officer, Govt. Upgraded Middle School Basant Nagar, Anchal - Hasanpura, District - Siwan

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra

For the Respondent/s : Smt. Binita Singh, GP 31

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 08-05-2015

The absurdity of the argument of the petitioners is apparent on the face of record. They want a notional declaration of being treated as having passed training examination along with the candidates of the year 2004. The primary reason for urging so is that it is not their fault. They were not sent for training and because they

were sent for training at late hour, they were compelled to appear in the examination only in the year 2007. If that be so then they shall be treated to have passed in the first attempt and they will be entitled to the same benefit as those candidates, who had appeared in the examination earlier in the year 2004.

The absurdity of the proposition and submission is apparent on the face. If the petitioners have passed the examination in the year 2007, they will be governed by the circular and the decision taken by the two Division Benches earlier. The circular is dated 5.1.2015, issued by the Director, Primary Education, Government of Bihar. The right of the petitioners has been crystallized above and will be governed by circular dated 5.1.2015 of the Director.

Writ application is dismissed.

(Ajay Kumar Tripathi, J)

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