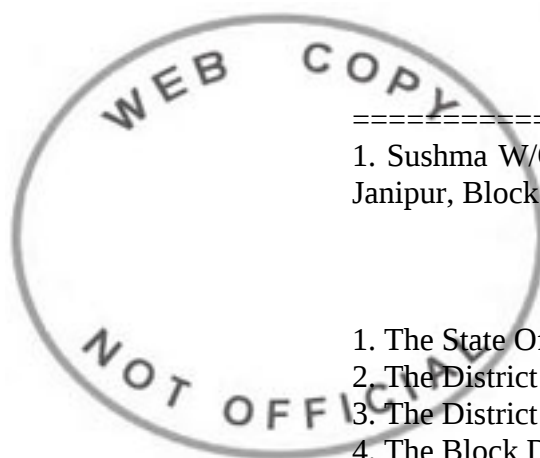




IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1244 of 2012
IN
Civil Writ Jurisdiction Case No. 5747 of 2011**

=====

1. Sushma W/O Hemant Kumar Presently The Mukhiya Of Gram Panchayat Raj,
Janipur, Block -Nanpur, Distt-Sitamarhi

.... Appellant/s

Versus

1. The State Of Bihar
2. The District Magistrate -Cum-Collector Sitamarhi
3. The District Superintendent Of Education , Sitamarhi
4. The Block Development Officer, Nanpur, Sitamarhi
5. The Block Education Extension Officer, Nanpur, Sitamarhi
6. The Panchayat Secretary, Gram Panchayat Raj, Janipur, Block -Nanpur, Distt-Sitamarhi
7. The Appellate Authority , District Teeachers Appointment Appellate Tribunal, Sitamarhi
8. Shivendra Kumar Satyarthi S/O Late Muneshwar Mishra @Muneshwar Sharma R/O Vill-Janipur, P.S.-Nanpur, Distt-Sitamarhi
9. Ram Chandra Mandal S/O Sri Ram Shankar Mandal R/O Vill-Janipur, P.S.-Nanpur, Distt-Sitamarhi

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. PUSHPENDRA KUMAR SINGH
For the Respondent/s : Mr. AVNISH NANDAN SINHA GP11

=====

**CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
and
HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)
Date: 20-02-2015

Heard the appellant who was respondent no. 7 in the writ petition. She claims that she is the Mukhiya of the Gram Panchayat. The learned single Judge has allowed the writ petition and directed for continuance of service of the petitioners clearly holding that the petitioners though recruited as Shiksha Mitra when they had only matriculation qualification, they had increased and up-graded their educational qualification to Intermediate and thus, they were entitled not only to continue but to be converted into Panchayat Teacher.

Learned counsel for the appellant submits that the writ petitioners suppressed the fact as to how they managed to obtain Intermediate qualification in regular course. In our view, that is irrelevant, so long as the educational qualification of Intermediate is not doubted or challenged as incorrect, it matters relate to how they obtained it. The Government Circular permitted them to obtain it while in service. They obtain it and thus, we cannot default the learned single Judge. This appeal is accordingly, dismissed.

(Navaniti Prasad Singh, J)

(Jitendra Mohan Sharma, J)

avin/-

U			
---	--	--	--