

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No 1957 of 2015

IN

Civil Writ Jurisdiction Case No 16535 of 2013

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- 1 Shanti Kumari, daughter of Shreewant Singh, wife of Shashi Bhushan Chaudhary, resident of Village – Majhauri, PO – Bidupur (RS), District – Vaishali
 - 2 Ranjana Kumari, daughter of Ram Kinkan Singh, wife of Chandradev Singh, resident of Village – Muh – Pratap Nagar, Mahessahal Road No 4, House No – 166, Opposite M B Singh, Sitamarhi
 - 3 Saroj Kumari, daughter of Rambrikcha Chaudhary, wife of Umesh Chandra Sharma, resident of Village – Muradpur, Post – Dumra Court, District – Sitamarhi
 - 4 Vijay Kumari, daughter of late Krishna Chandra Thakur, wife of Bihwanath Singh, resident of Village and Post – Fathepur, PS and District – Sheohar
 - 5 Rita Kumari, daughter of Ram Kinkar Singh, resident of Village and Post – Bhailwara, Dhanushi, PS – Runni Saidpur, District – Sitamarhi
 - 6 Saroj Kumari, daughter of Girija Prasad, resident of Village and PO – Mahmmadpur, PS – Phulwari Sharif, District - Patna

.... Appellant/s

Versus

- 1 The State of Bihar through Principal Secretary, Education Department, Government of Bihar, Patna
- 2 The Commissioner –cum- Secretary, Human Resources Department, Government of Bihar, Patna
- 3 The Director, Primary Education, Government of Bihar, Patna
- 4 The Secretary, Bihar Staff Selection Commission, Patna
- 5 The Director, Research and Training, Education Department, Government of Bihar
- 6 The Secretary, Bihar School Examination Board, Patna
- 7 Kamla Kumari, daughter of Sri Ram Udgar Rai, resident of Village – Kanjajwatta, PO – Chak Sikander, District – Vaishali
- 8 Vidyawati Devi, daughter of Rajendra Singh, resident of Village and PO – aMathura, PS – Bidupur, District – Vaishali
- 9 Savitri Kumari, daughter of Janak Prasad Singh, wife of Shyam Nandan, resident of Village – Nawada, PO – Gangya, District – Muzaffarpur
- 10 Puspa Kumari, daughter of Sri Shiv Kumar Sinha, resident of Village – Basua, PS – Aurai, Via – Katra, District – Muzaffarpur
- 11 Nilam Sinha, daughter of Sri Narayan Chaudhary, resident of Village – Benipur, PO – Bhrthea, PS – Aurai, District – Muzaffarpur
- 12 Manju Kumari, daughter of late Baleshwar Prasad Singh, resident of Village – Kumhrapakar, PO – Murapur, Via – PCA Dhauri, District - Muzaffarpur

.... Respondent/s

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Appearance :

For the Appellant/s : M/s Ashok Kr Mishra & Varun Kr, Advocates

For the Respondent/s : Mr Syed Arshad Alam, SC 3 with
Mr Fakhruddin Ali Ahmad, AC to SC 3

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**CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH
&
HON'BLE JUSTICE SMT NILU AGRAWAL**

ORAL JUDGMENT

(Per: HONOURABLE MR JUSTICE NAVANITI PRASAD SINGH)

Date: 16-03-2016

Heard learned counsel for the appellants and learned counsel for the State and, with their consent, this appeal is being disposed of at this stage itself.

2 The appellants were the unsuccessful writ petitioners who have preferred this Letters Patent Appeal. Their grievance was that though they have been empanelled for appointment as Primary Teachers, they have not so been appointed. From various orders passed by this Court and Apex Court, as noted by the learned Single Judge, it is apparent that the rights of the petitioners are dependent upon available vacancies after selection process is completed. Thus, their right has not extinguished.

3 However, learned counsel for the State points out that State has called for objections from the persons who have been wrongly left out which objections are to be filed by 18th of this month.

4 Having considered the matter, in our view, while observing that no interference is required in the order of the learned Single Judge, we grant leave to the appellants to file their objections before the State/appropriate authority who would consider the same in

accordance with law.

5 With these observations, this appeal stands disposed

of.

(Navaniti Prasad Singh, J)

(Nilu Agrawal, J)

M.E.H./-

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