

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7530 of 2013

- =====
1. Ram Chandra Yadav Son of Late Ganesh Lal Yadav resident of village Amrori, P.O. - Nababgang (Fulkaha), P.S. - Fulkaha, District - Arariya
 2. Sujit Kumar Son of Late Brahmdeo Poddar R/o C/1- Kasturba Colony, P.O. Mahendru District - Patna
 3. Md. Azim Son of Md, Sakil Miyan resident of village - Nathbari, P.O. - Balua Bazar, P.S. - Balua Bazar, District - Supaul
 4. Jagdish Prasad Pandit Son of Ram Phar Pandit resident of village, - Brindavan, P.O. - Ekhari, P.S. - Ladaniya, District – Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner cum Secretary , Department of Education, Government of Bihar, New Secretariat, Bihar, Patna
2. The Director, Department Of Primary Education Government of Bihar, New Secretariat, Bihar, Patna
3. The District Magistrate, Arariya
4. The District Magistrate, Patna
5. The District Magistrate Saharsa
6. The District Education Officer, Arariya
7. The District Education Officer, Patna
8. The District Education Officer, Saharsa
9. The District Programme Officer, (Establishment), Arariya
10. The District Programme Officer (Establishment), Patna
11. The District Programme Officer (Establishment), Saharsa

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar
For the Respondent/s : Mr. Md. Naushaduzzoha, AC to SC-18

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 04-05-2016

Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, petitioners are seeking relief of appointment
to the post of Assistant Teacher.

This matter relates to appointment of 34540 Assistant

Teachers.

As per the claim of the petitioners, the matter went to the Hon'ble Supreme Court and the Hon'ble Supreme Court directed to appoint 34540 Teachers.

The counsel for the petitioners submits that the names of the petitioners were standing in the order passed by the Hon'ble Supreme Court. After receipt of the order, the Bihar Staff Selection Commission recommended the names of 34540 candidates for their appointment in which the names of the petitioners were standing and their names were duly recommended by the State Government, but they were refused to give appointment on the ground that they were/are not holding the proper qualification of training from a recognised institution.

As per the claim of the petitioners, they obtained the B.T.C. degree prior to enforcement of the NCTE Act from Seva Bharti Adhyapan Mandir Sevapuri Varanasi which is a recognised institution. He has further submitted that Seva Bharti Mandir Sevapuri Varanasi is not a recognised institution either by the State of Uttar Pradesh or by the State of Bihar and under the wrong impression, the authority refused to issue the letter of appointment to the petitioners and he has placed reliance on the letter of Government dated 12.09.2012 from where it appears that Seva Bharti Adhyapan

Mandir Sevapuri Varanasi and Seva Bharti Mandir Sevapuri Varanasi are two separate institutions. So far Seva Bharti Adhyapan Mandir Sevapuri Varanasi is a recognised institution from there the petitioners obtained degree.

The State authority is directed to examine the case of the petitioners in accordance with law and take a proper decision within a period of three months from the date of receipt/production of a copy of this order.

With the above observation/direction, this petition is disposed of.

(Shivaji Pandey, J)

Mahesh/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	07/05/2016
Transmission Date	