

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7895 of 2017

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Ayan Akhtar, Son of Mustak Ansari, resident of Village & P.O. - Dumri Chapia, P.S.- Trayia, District-Saran represented through his natural guardian being father namely Mustak Ansari, Son of Mehdi Hussain, resident of Village & P.O. - Dumri Chapia, P.S. Trayia, District- Saran.

.... Petitioner/s

Versus

1. The Union of India.
2. The Secretary Ministry of Human Resources Development Department, Government of India.
3. The Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi- 110016 through its Chairman.
4. The Chairman, Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi- 110016.
5. The Secretary, Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi- 110016.
6. The Commissioner, Kendriya Vidyalaya Sangathan, Kankarbagh, Patna.
7. The Chairman, Kendriya Vidyalaya, Mashrak, Saran.
8. The Principal, Kendriya Vidyalaya, Mashrak Saran.
9. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
10. The Secretary cum Commissioner, Human Resources Development Department, Govt. of Bihar, Patna.
11. The Director, Secondary Education, Govt. of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Md. Anis Akhtar, Adv. Mr. Arif Daula Siddiqui, Adv.
For the Kendriya Vidyalaya Sangathan :		Mr. G.K. Agrawal, Adv. Mr. Kumar Ravish, Adv.



For the State : Mr. Kashyap Kaushal, Adv.
Mrs. Binita Singh, SC-28
Mr. Nishant Kr. Jha, AC to SC-28

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT & ORDER

Date: 09-10-2017

The petitioner is son of a Niyojit Block Teacher. The petitioner had applied for admission in Kendriya Vidyalaya, on the basis of being ward of a permanent government servant. His claim has been rejected on the ground that his mother, being Niyojit Block Teacher, could not be said to be a permanent government servant.

2. Though, submissions and counter submissions have been advanced on behalf of the parties, in view of a Division Bench decision of this Court, rendered on 15.05.2017 in LPA No. 1290 of 2013, in my view, nothing more is required to be decided at this stage. The Division Bench of this Court has specifically held in the said decision that such teachers cannot be termed to be permanent government employees and they are merely part of contractual hiring, which has been done by the *Panchayats* and not by the State.



3. This application has, thus, no merit and is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	10/10/2017
Transmission Date	N/A

