

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9245 of 2017

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Vyas Deo Singh, Son of Late Ragho Prasad Singh, resident of Village and P.O.-
Sishai, P.S.- Goryakothi, District- Siwan, at present working as I/c Headmaster in
Narayan Karmyogi High School Gorya Kothi, P.S.- Goriya Kothi, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar through Director, Secondary Education, Govt. of Bihar,
Budh Marg, Patna.
2. The Director, Secondary Education, Govt. of Bihar, Budh Marg, Patna.
3. The District Education Officer, Siwan.
4. The District Programme Officer (Establishment), Siwan.
5. Sri Shailendra Kumar Singh, Niyojit Teacher, Narayan Karmyogi High School,
P.S.- Goriya Kothi, District- Siwan.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate

For the Respondent/s : Mr. AC to AG

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 17-04-2018

Heard learned counsel for the petitioner and State.

2. The dispute in the present writ application is appointment of incharge headmaster. There is nothing like regular post of incharge headmaster, as a matter of interim measure the incharge headmaster has been notified.

3. Learned counsel for the private respondent has placed reliance on Annexure-A to submit that this Court has already held out that the Physical Trained Teachers are not eligible for appointment as incharge headmaster. Similar is the issue with regard to Niyojit Teacher as held out by this Court in C.W.J.C. No. 6724 of 2008 that Niyojit Teacher cannot be appointed incharge headmaster.



4. Considering the aforesaid, neither the petitioner nor the private respondent can be made incharge headmaster, as this Court has already held out that neither the Physical Trained Teacher nor the Niyojit Teacher can be made incharge headmaster.

5. Under the aforesaid circumstances, the writ application is disposed of with a direction to the District Education Officer, Siwan to take steps for posting of regular headmaster within a period of fortnight from today, failing which the District Education Officer, Siwan is directed to take care of the school, in question, as incharge headmaster, until regular headmaster is posted in the school.

6. With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.05.2018
Transmission Date	

