

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2683 of 2018

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1. Ram Prawesh Yadav, Presently as Lecturer in Chemistry, Suraj Narayan Singh Yadav Inter College, Rambagh, Purnea, Son of Sri Ram Chandra Yadav, Resident of Naya Tola, Line Basar, P.S. K.Hat, District-Purnea.
 2. Krishna kumar, Lecturer in Zoology, Suraj Narayan Singh Yadav Inter College, Rambagh, Purnea, Son of Sri Hardeo Prasad Yadav, Resident of Professor Colony, Rambagh, P.S. Sadar, District-Purnea.
 3. Shakil Ahmad, Lecturer in Commerce, Bahadurganj College, Bahadurganj, Kishanganj, Son of Hamidpur Rahman Resident of Village-Kasinarinath, P.S. Kochadhaman, District-Kishanganj.
 4. Parmanand Yadav, Principal, Suraj Narayan Singh Yadav inter College, Rambagh, Purnea, Son of Rasik Lal Yadav, Resident of Line Bazar, Naya Tola, Purnea.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources, Govt. of Bihar, Patna.
2. The Special Secretary, Human Resources Department, Govt. of Bihar, Patna.
3. The Director (Higher Secondary) Department of Education, Govt. of Bihar, Patna.
4. The Bihar School Examination Board, through the Chairman, Budh Marg, Patna.
5. The Chairman, Bihar School Examination Board, Budh Marg, Patna.
6. The Secretary, Bihar School Examination Board, Budh Marg, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishore Prasad, Advocate
Mr. Md. Musowir, Advocate

For the Respondent/s : Mr. Bijay Bhushan Prasad, AC to SC-13

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 30-03-2018

Learned counsel for the petitioners submits that the petitioners may be granted liberty to approach the Principal Secretary, Education Department in view of the contradictory letters one contained in Annexure-5 and the other contained in Annexure-4.

Learned counsel for respondent Bihar School Examination Board submits that in view of the Specific Service



Condition Rule (Annexure-4), there is no scope for any indulgence in the matter.

Learned counsel for the State submits that in view of the fact that the status of the Intermediate College is like +2 College and the age of superannuation of the teachers of the school is 60 years, the Court should not grant any indulgence to these petitioners.

Considering the prayer of the petitioners that they may be permitted to approach the Principal Secretary, Education Department for resolving the contradiction between Annexures - 4 and 5, the writ application is disposed of with liberty to the petitioners to file representation before the Principal Secretary, Education Department, who may finally decide whether Annexure-4 is pending in the matter of Intermediate College or the letter as contained in Annexure-5 is applicable in the case of these petitioners.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.04.2018
Transmission Date	

