

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.2328 of 2017**

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Kiran Kumari, Daughter of Sri Ratneshwar Pathak, C/o Sri Shashikant Jha,  
Resident of village + Post office - Chandrahatti, P.S. Kurhani, District -  
Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department  
Govt. of Bihar
2. The Director, Research and Training, Education Department, Government of  
Bihar, Patna
3. The Principal, Teacher's Training College, Turki, District - Muzaffarpur

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Mukund Mohan Jha  
For the Respondent/s : Mr. Umesh Narayan Dubey, AC to GP 27

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN  
SINGH**

ORAL ORDER

2     03-01-2018             The petitioner has filed the present writ application seeking direction upon the respondents to allow her admission to M.Ed. Course for the sessions 2016-18 in Teachers Training College, Turki, Muzaffarpur, in accordance with the provisions contained in letter no. 1002, dated 16.10.1987, which letter has been brought on record by way of Annexure-3 to the writ application.

It is the case of the petitioner that the said letter provides reservation of 5 (five) seats in M. Ed. course in the said college for the teachers working in Government schools and other institutions. The petitioner claims to be working as an Assistant Teacher in Higher Secondary School, Turki and on that ground,



she claims that she should have been admitted against the seats reserved for working teachers in Government schools.

Though the academic session, in question, is on the verge of completion, no direction, as sought for in the writ application, can be issued and, thus, the question involved has become academic.

However, in the facts and circumstances of the case, I have consider it appropriate to deal with the question raised in the present writ application.

As has been noticed, the petitioner's claim is based on letter no. 1002, dated 16.10.1987. This is not in dispute that the Education Department, Government of Bihar, has framed rules for admission to M. Ed. Course, vide a resolution, issued through memo no. 472, dated 07.10.2016. The said resolution does not provide for any reservation for the teachers for admission to the said course in the said Teachers Training College, Turki.

A counter affidavit has been filed on behalf of the respondent-State of Bihar, stating therein that the M.Ed. Course in the said College has been started after the approval of the National Council for Teacher Education, which is the only Government Training College, run by the Government of Bihar,



from the sessions 2016 onwards. It is also the stand of the State Government that after coming into force of the National Council for Teacher Education Act, the admissions are to be undertaken only on the basis of merit and not otherwise.

Learned Counsel appearing on behalf of the petitioner, however, attempted to convince this Court that the letter no. 1002, dated 16.10.1987, is still in force to the extent it relates to reservation for working teachers in Government schools for admission to M.Ed. Course.

I do not find any force in such submission. The admissions to M. Ed. Course are to be governed under the National Council for Teacher Education Act. No provision has been brought to the notice of this Court, which would have empowered the State Government to allow reservation on that basis to the admission to said course.

In that view of the matter, I do not find any merit in this application. This application is, accordingly, dismissed.

**(Chakradhari Sharan Singh, J)**

Prabhakar Anand/-

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