

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8942 of 2015

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Brij Kishor Prasad, son of Late Ram Sagar Prasad, Resident of Village- Kasi Tengrahi, P.S. Mohammadpur, District- Gopalganj, at present Assistant Teacher, D.A.V. High School, Gopalganj. Petitioner/s

Versus

1. The State of Bihar through D.M. Gopalganj.
 2. Director, Secondary Education, Bihar, Patna.
 3. Secretary, Bihar Staff Selection Commission, Patna.
 4. District Education Officer, Gopalganj.
 5. Headmaster, D.A.V. High School, Gopalganj, P.S. Gopalganj, District- Gopalganj. Respondent/s
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with

Civil Writ Jurisdiction Case No. 8712 of 2015

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Pradip Kumar Son of Anurag Ram Resident of village - Shyampur Tendula Khas, P.S. Uchka Gaon, District - Gopalganj, at Present Assistant Teacher, D.A.V. High School, Gopalganj

... ... Petitioner/s

Versus

1. The State of Bihar through D.M. Gopalganj
2. Director, Secondary Education, Bihar, Patna
3. Secretary, Bihar Staff Selection Commission, Patna
4. District Education officer, Gopalganj
5. Headmaster, D.A.V. High School, Gopalganj, P.S. Gopalganj, District - Gopalganj

... ... Respondent/s

with

Civil Writ Jurisdiction Case No. 8961 of 2015

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Awadhesh Kumar Singh Son of Brahmdeo Singh, Resident of Village - Barari, P.O. - Thawe, P.S. - Uchakagaon, District - Gopalganj.

... ... Petitioner/s

Versus

1. The State of Bihar through D.M. Gopalganj.
 2. Director, Secondary Education, Bihar, Patna.
 3. Secretary, Bihar Staff Selection Commission, Patna.
 4. District Education Officer, Gopalganj.
 5. Headmaster, D.A.V. High School Gopalganj, P.S. - Gopalganj, District - Gopalganj. Respondent/s
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Appearance :

For the Petitioner/s	:	Mr.Purushottam Jha, Advocate Mr. Avanindra Kr. Jha, Advocate Mr. Jitendra Acharya, Advocate
For the State	:	Mr.Kamlesh Kishore, AC to SC 12 Mr. Sanjeet Kumar Singh, AC to AAG 6 Mr. Upendra Kumar Singh AC to GA 8



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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 21-12-2018 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The issue raised in these three writ petitions is no more res integra. In fact, similar such issue was raised before this Court in CWJC No. 10990 of 2013 and by judgment dated 20.11.2018, on consideration of the entire facts and circumstances, this Court held out that the respondents are not justified in refusing approval on the ground that at the relevant time there was ban in appointment in minority schools and the respondents have decided to appoint teachers in other schools on contractual basis or on fixed remuneration.

For the reasons mentioned in the judgment dated 20.11.2018 in CWJC No. 10990 of 2013, these three writ petitions are allowed. The respondents are directed to take appropriate decision in the light of the aforesaid decision of this Court.

(Anil Kumar Upadhyay, J)

spandey/-

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