

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4576 of 2016

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1. Renu Devi wife of Shri Yogendra Rai, resident of village- Bajrahiya, P.O. Gohpur Bajrahiya, P.S.- Gautam Budha Nagar (Tarwara), District- Siwan, at present posted and working as Panchayat Teacher in newly created Primary School Bajidahi, Anchal- Guthani, District- Siwan
 2. Kumari Seema Sinha wife of Late Parmatma Singh, resident of village- Bajrahiya, P.O. Gohpur Bajrahiya, P.S.- Gautam Budha Nagar (Tarwara), District- Siwan, at present posted and working as Panchayat Teacher in Primary School Bajrahiya, Anchal- Maharajganj, District- Siwan ... Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna
 2. The Director, Primary Education, Education Department, Govt. of Bihar, Patna
 3. The District Magistrate, Siwan
 4. The District Education Officer, Siwan
 5. The District Programme Officer (Establishment) Siwan
 6. The Block Education Officer, Guthani, District- Siwan
 7. The Block Education Officer, G.B. Nagar, District- Siwan
 8. The Mukhiya, Gram Panchayat Raj Sohgara, Block- Guthani, District- Siwan
 9. The Panchayat Secretary, Gram Panchayat Raj Sohgara, Block- Guthani, District- Siwan
 10. The Mukhiya, Gram Panchayat Raj Shjivdah, Block- Maharajganj, District- Siwan
 11. The Panchayat Secretary, Gram Panchayat Raj Shjivdah, Block- Maharajganj, District- Siwan
 12. The Headmaster-cum-Drawing and Disbursing Officer, newly created Primary School Bajidahi, Anchal- Guthani, District- Siwan
 13. The Headmaster-cum-Drawing and Disbursing Officer, Primary School Bajrahiya, Anchal- Maharajganj, District- Siwan ... Respondents
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Appearance :

For the Petitioners : Mr. Umesh Kumar Mishra, Adv.
For the Respondents : Mr. Ravi Kumar, AC to GP XIII

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 10-05-2018 Heard the learned counsel for the petitioners and the learned counsel appearing for the State.

The grievance of the petitioners in the present writ application is against the arbitrary decision of the respondents, contained in Memo No. 2772, dated 18.09.2015, passed by the



District Programme Officer (Establishment), Siwan, whereby he has directed termination of the service of the petitioners on the ground that the teachers training degree of the petitioners are not recognized.

Learned counsel for the petitioners has submitted that the issue with regard to the legality and validity was examined in various writ petitions and in terms of direction of the writ Court in C.W.J.C. No. 5399 of 2012 the matter was examined by the Principal Secretary, Education Department, Government of Bihar, Patna, and vide Annexure 11, dated 02.11.1992, the Principal Secretary has held out that the degree of the institution was recognized up to 1988-90 and the Principal Secretary on consideration of the record in the light of judgment of Apex Court in Appeal No. 4129 of 1999, categorically decided that the degree of the training of the institution was found to be recognized for the period 1983-85 to 1986-88. The Principal Secretary has even clarified that the degree of teachers training obtained in the academic session 1988-90 cannot be treated as not recognized. In view of the decision of the Principal Secretary, pursuant to the direction of the writ Court in C.W.J.C. No. 16479 of 2010 the Court has no hesitation in holding that the institution from where the petitioners have obtained teachers



training degree was recognized for the period 1983-85 to 1988-90 and in the light of the above the respondents are required to treat the training of the petitioners as recognize and legal and valid.

In view of the above, the order, contained in Annexure 12 cannot sustain, which is, accordingly, **quashed**. Respondents are directed to reinstate the petitioners with all consequential benefits forthwith.

The writ application is **allowed** to the extent indicated above.

(Anil Kumar Upadhyay, J)

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