

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14025 of 2016

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1. Farzana Khatoon Wife of Md. Rafique Alam resident of village - Mafi, P.S. Ashthawan, District Nalanda
 2. Farzana Khatoon Wife of Md. Rafique Alam resident of village - Mafi, P.S. Ashthawan, District Nalanda
 3. Kumari Chnadra Kanti Wife of Shivshankar Prasad Singh resident of village - Kulti, P.S. Ashthawan, District - Nalanda
 4. Kumari Chnadra Kanti Wife of Shivshankar Prasad Singh resident of village - Kulti, P.S. Ashthawan, District - Nalanda
 5. Sunita Kumari Wife of Ranjeet Kumar resident of village - Gotia, P.S. Ashthawan, District - Nalanda
 6. Sunita Kumari Wife of Ranjeet Kumar resident of village - Gotia, P.S. Ashthawan, District - Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Human Resources Development Department, Bihar, Patna
2. The Director, Primary Education, Bihar, Patna
3. The District Education officer, Nalanda at Bihar Sharif
4. The District Programme officer (Estt.), Nalanda at Bihar Sharif
5. The Block Education officer, Ashthawan, Nalanda
6. The Panchayat Secretary, Gram Panchayat Raj Giyar, Ashthawan, Nalanda
7. The Mukhiya Gram Panchayat Raj Giyar, Ashthawan, Nalanda

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjay Prasad
For the Respondent/s : Mr. Jitendra Kr. Roy No. 1- Sc13

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-11-2018 The present writ petition has been filed for issuance of directions to the respondents to grant an opportunity for appearing in the qualifying efficiency test in light of the Bihar Panchayat Primary Teachers (Appointment and Service Conditions), Rules 2006, as amended by the amendment of the year 2009.

Admittedly, as per the respondents also, the efficiency



test is required to be conducted for evaluation of the performance of the teachers and in case, the teachers have failed twice in the efficiency test then they are required to be given one more opportunity by way of third attempt.

The respondents have filed counter affidavit and have stated that admittedly, the petitioners were entitled for appearing in the third attempt and for that purposes, the respondents had sent the application forms of the petitioners to the State Council for Educational Research and Training, Patna for issuance of admit cards and conduct of the examination, however, the admit cards were not issued by the SCERT, Patna.

Having considered the rival contentions, this Court is of the view that even the State Government accepts that the petitioners were required to appear in the third attempt, hence, it is directed that as per the aforesaid Rules, the Government may make arrangement for issuance of admit cards and appearance of the petitioners for the efficiency test to be held henceforth in future.

The present writ petition is allowed and disposed of with the aforesaid directions.

(Mohit Kumar Shah, J)

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