

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5921 of 2019

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Shashi Bhushan Rai, Son of Sri Markande Rai, Resident of Village- Gopalpur,
District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Dept. of Human Resources, Govt. of Bihar, Patna
2. The Director, Primary Education, Govt. of Bihar, Patna
3. The Collector, Gopalganj
4. Presiding Officer, District Teachers Employment Tribunal, Gopalganj
5. District Education Officer, Gopalganj
6. The District Programme Officer (Est.), Gopalganj
7. Sub Divisional Officer (Civil), Gopalganj
8. Block Development Officer, Kuchaikot, District- Gopalganj
9. The Block Education Officer, Kuchaikot, District- Gopalganj
10. Headmaster, Upgraded Middle School Sapahan, Kuchaikot, District- Gopalganj

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Singh, Advocate
For the Respondent/s : Mr. Amit Bhushan, AC to CP-17

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

5 18-10-2019 Heard learned counsel for the petitioner and the respondents.

Initially, the petitioner has filed the present writ application for payment of arrears of salary.

During the pendency of the writ application, the services of the petitioner has been dispensed with on the ground that the degree of Madhyama Visharad from Hindi Sahitya Sammelan, Allahabad is not valid.



The petitioner has filed interlocutory application, bearing I.A. No. 01 of 2019, wherein he has challenged the order dated 20.01.2018, wherein services of the petitioner has been terminated by the Block Development Officer-cum-Secretary, Block Teachers Employment Unit, Kuchaikot.

Learned counsel for the petitioner submits that the petitioner entered in service in 2005 as Shiksha Mitra. Later on, his service was absorbed under 2006 Rules. The subsequent decision of the State Government that the degree obtained from Hindi Sahitya Sammelan, Allahabad is not recognized. The decision was made effective w.e.f. 25.08.2008.

At the time of entry of the petitioner in service, the degree obtained from Hindi Sahitya Sammelan, Allahabad was not under cloud. In fact, similar issue was considered by this Court in C.W.J.C. No. 4455 of 2017 and vide order dated 02.07.2019 this Court allowed the writ application.

In view of the above, the amendment sought for in I.A. No. 1 of 2019 is allowed.

Considering the decision of this Court in C.W.J.C. No. 4455 of 2017 dated 02.07.2019, the present writ application is allowed in the similar terms. The respondents are directed to reinstate the petitioner with all consequential benefits within a



maximum period of 60 days from the date of receipt/production
of a copy of this order.

(Anil Kumar Upadhyay, J)

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