

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17849 of 2019

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Shaila Naz Wife of Sanjid Ahmad Resident of village- Gaira, P.S. Nauaon,
District Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director Primary Education, Govt. of Bihar, Patna.
3. The State Project Director Bihar Education Project Council, Shiksha Bhawan, Rashtrabhasha Parishad Campus Saidpur, Rajendra Nagar, Patna.
4. The District Magistrate Kaimur at Bhabua.
5. The District Education Officer Kaimur at Bhabua.
6. The District Programme Officer (Establishment) Kaimur at Bhabua.
7. The Block Development Officer Nuaon, Kaimur at Bhabua.
8. The Block Education Officer Nuaon, Kaimur at Bhabua.
9. The Panchayat Secretary Neaon, Kaimur at Bhabua.
10. The Principal District Institute of Education and Training, Kaimur, Mohania, Darwa Mohania, Kaimur at Bhabua.
11. The Vice Chancellor of Indira Gandhi National Open University Maidan Garhi, New Delhi.
12. The Controller of Examination Indira Gandhi National Open University, Maidan Garhi, New Delhi.
13. The Regional Centre, Indira Gandhi National Open University, OL.N.M.U. Campus, Near Central Bank, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Parwej Khan, Advocate
For the Respondent/s	:	Mr. Prabhakar Jha, G.P. 27
		Mr. Umesh Narayana Dubey, A.C. to G.P. 27
For B.E.P.C.	:	Mr. Girijish Kumar, Advocate
For Respondents 11 to 14:	:	Mr. Kundan Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 03-09-2019 Heard learned counsel for the petitioner, learned
counsel appearing for the respondents.

The petitioner was sent for in-service training (DPE)



in 2007-2009 session. She appeared in the examination in 2010. The result of the examination was published in 2012, however, in the result of the petitioner there was a noting that petitioner has not completed the Practical Paper 2. In the year 2013, that is after one year of declaration of result, certificate was issued that the petitioner has successfully completed the course in the academic session 2012. Earlier, the result was published as the petitioner has not completed the course in Practical Paper 2, and as such the result of the petitioner was kept pending.

The grievance of the petitioner in the aforesaid background is that the petitioner should have been treated as passed training in 2012 academic session and as such the petitioner should be granted all benefits including the benefit of pay scale along with the candidates who were declared pass in 2010 examination result thereof published in 2012.

Considering the peculiar facts and circumstances of this case, the Court is of the considered view that if the petitioner's result has been published in 2013, therein stating that the petitioner has passed the training examination (DPE) in 2012, then there is no occasion for the respondents in not considering the grant of benefit including pay scale with effect from 2012 as in the case of the others who appeared in the



training examination along with the petitioner.

The present writ application stands allowed accordingly. The respondents are directed to take decision granting benefit to the petitioner with effect from 2012 like the counter part other teachers who have appeared along with the petitioner and were granted such benefit of training. Necessary decision in this regard may be taken by the respondent at the earliest, preferably within a period of 60 days from the date of receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

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