

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18879 of 2019

1. Nishant Kumar S/o Sri Deo Chandra Jha R/o Ward no.12, Village and P.O.-Morsand Musaid, District-Sitamarhi Presently Working as Prakhanda Teacher in Middle School Basatpur, Block-Runisaidpur District-Sitamarhi.
2. Prashant Kumar S/o Sri Abhay Kumar R/o Village and P.O.-P.O.-Morsand Musaid, District-Sitamarhi Presently Working as Prakhanda teacher in Middle School Kautiya Raipur, Block-Runisaidpur District-Sitamarhi.

... .. Petitioner/s

Versus

1. The Union of India represented through the Secretary, Department of School Education and Literacy, Ministry of Human Resource development, New Delhi.
2. The Secretary, Department of School Education and Literacy, Ministry of Human Resource Development, New Delhi.
3. The Secretary, Legislative Department, Ministry of Law and Justice, New Delhi.
4. The Additional Secretary, Department of School Education and Literacy, Ministry of Human Resource Development, New Delhi
5. The National Council of Teachers Education, New Delhi represented through its Director.
6. The Regional Director, National Council of Teachers Education, Eastern Regional Committee, 15 Nilkanth Nagar, Nayapali Bhuvneshwar, Orissa.
7. The State of Bihar through the Principal Secretary, Education Department, Bihar, Patna.
8. The Principal Secretary Cum Additional Chief Secretary, Education Department, Bihar, Patna.
9. The Secretary Primary Education, Education Department, Bihar,. Patna.
10. The Director, Research and Training, Education Department, Bihar, Patna.
11. The Director, Primary Education, Education Department, Bihar Patna.
12. The Chancellor of Universities of Bihar, Raj Bhawan Patna,
13. The Principal Secretary, Office of Chancellor of Universities of Bihar, Raj Bhawan Patna.
14. B.R.A. Bihar University, Muzaffarpur represented through its Registrar.
15. The Vice Chancellor, B.R.A. Bihar University, Muzaffarpur.
16. The Registrar, B.R.A. Bihar University, Muzaffarpur
17. The Director, Directorate of Distance Education, B.R.A. Bihar University, Muzaffarpur.

... .. Respondent/s



Appearance :

For the Petitioner/s : Mr. Manoj Kumar Manoj, Advocate
For the Respondent/s : Mr. Prabhat Ranjan Singh, AAG-15
For the N.C.T.E. : Mr. Sunil Kumar Singh, Advocate
Mr. Ranay Bhasker, Advocate
For the B.R.A.B University : Mr. Arabind Nath Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 16-09-2019 Heard learned counsel for the petitioner and the

counsel appearing on behalf of the State as well as the

University.

The short prayer of the petitioners in the present case
is to extend the time period for submitting the training
certificate inasmuch as it has been stipulated by the Government
of India that the services of the petitioners shall stand terminated
with effect from 31.03.2019 if the training certificate are not
submitted by the said date.

The learned counsel for the petitioners has submitted,
referring to a gazette notification dated 01.01.2019, that in the
case of the State of Tripura, the time period for submitting the
requisite training certificate has been extended by the
Government of India, hence similar treatment be granted to the
petitioners herein inasmuch as the colleges from where the
petitioners are pursuing the training course are not holding the
examination within time, hence there is no fault on the part of
the petitioners.



Having regard to the fact and circumstances of the case, I deem it fit and proper to dispose off the present writ petition with liberty to the petitioners to approach the respondent no.2 by filing appropriate representation within a period of three weeks from today, whereupon the respondent no.2 shall consider the case of the petitioners sympathetically in light of the aforesaid notification dated 04.01.2019 and pass appropriate orders in accordance with law.

It is needless to state that in the meantime status quo existing as on today qua the petitioners herein shall be maintained till the final decision is taken by the respondent no.2.

With the aforesaid, the present writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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