

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23822 of 2013

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1. Hashnain Kaushar and Ors Son Of Mofizuddin Ahmad Resident Of Village - Dahuulabari, P.O. - Bishanpur, Via - Bahadurganj, P.S. - Kochadhaman, District - Kishanganj
 2. Abdul Kalam Son Of Khalilur Rahmad Resident Of Village - Parapurnia, P.O. - Shishabari, Via - Sontha, P.S. - Routa, District - Purnea
 3. Md. Wasim Son Of Dr. Raquimuddin Resident Of Village - Sontha, P.O. - Sontha, District - Kishanganj
 4. Munazir Alam Son Of Hakimuddin Resident Of Village - Handibhasa, P.O. P.S. - Kochadhaman, District - Kishanganj
 5. Md. Abdul Kalam Son Of Zahid Hussain Resident Of Village - Nagri Prabha, P.O. - Dhanpatgunj, Via - Sontha, P.S. - Kochadhaman, District - Kishanganj
 6. Md. Shamshad Alam Son Of S.K. Muzibur Rahman Resident Of Village - Andhasur, P.O. - Dogharia, Via - Santha, P.S. - Kochadhaman, District - Kishanganj
 7. Md. Tufail Ahmad Son Of Md. Tamizuddin Village - Dakita, P.O. - Shishabari, P.S. - Routa, District - Purnea
 8. Taqusir Alam Son Of Reyzul Haque Village - Sehangaon, P.O. - Dhanpatganj, P.S. - Kochadhaman, Via - Sontha, District - Kishanganj
 9. Haroon Rashid Son Of Ashabuddin Village - Teha, P.O. P.S. - Kochadhaman, Via - Sontha, District - Kishanganj
 10. Nazmul Aarfin Son Of Alasuddin Village - Tupamari, P.O. - Haldikhora, Via - Sontha, District - Kishanganj
- Petitioner/s

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 Bihar Staff Selection Commission, Through Its Secretary, At P.O. - Veterinary College, Patna -
 4. The Chairman, Bihar Staff Selection Commission, At P.O. - Veterinary College, Patna - 800014
 5. The Secretary, Bihar Staff Selection Commission, At P.O. - Veterinary College, Patna - 800014
 6. The Chairman, Bihar School Examination Board
 7. The Principle, Milia Sir Saiyad Primary Teachers Training College, Rambagh, Purnia
- Respondent/s

Appearance :

For the Petitioner/s : Mr.Rashid Izhar
For the Respondent/s : Mr.Swapnil Kr. Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL JUDGMENT

Date : 20-02-2019

1. The short prayer of the petitioners in the present writ petition is for directing the respondent- authorities to



consider the case of the petitioners for appointment on the post of Assistant Teachers (Trained) in Elementary school after considering them against 2413 posts of Assistant Teachers (Trained) which were lying vacant in the year 2013.

2. The learned counsel for the petitioners has submitted that the case of the petitioners has not been considered by the respondent- authorities in view of the fact that the examination for Primary Teachers (Trained course) which the petitioners had cleared in the year 1993, had been rescinded/ cancelled by the Government by notification dated 24.11.2000 on account of cancellation of recognition of Milia Sir Saiyad Primary Teachers Training College, Rambagh, Purnia, however the said order of the Government dated 24.11.2000 has been set aside by a learned Division Bench of this Court vide judgment dated 23.04.2010 passed in L.P.A. no. 1406 of 2009. The learned counsel for the petitioners further submits that since the petitioners have successfully passed the Teachers Training Examination and as per the aforesaid judgment of the learned Division Bench dated 23.04.2010, are possessing the requisite degrees since the cancellation of the recognition of the aforesaid training college in question, has been set aside, they are eligible for being considered for appointment against the remaining



vacancies, if any.

3. Having regard to the submissions made by the learned counsel for the petitioners and having heard the learned counsel for the respondents, I deem it fit and appropriate to dispose of the present writ petition with a direction to the respondents to consider the case of the petitioners for appointment against the remaining vacancies, if any, in case they fulfill the other eligibility criterion, however considering them to be possessing valid Teachers Training certificates.

(Mohit Kumar Shah, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.02.2019
Transmission Date	NA

