

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25354 of 2019

Govind Lal Das Son of Late Gulami Das, resident of Mohalla- Lal Imli
Goraiya Asthan, P.O.- Begampur, P.S.- Chowk, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Joint Secretary, Education Department, Bihar, Patna.
4. The Director, Primary Education, Education Department, Bihar, Patna.
5. The District Education Officer, Araria.
6. The District Programme Officer, Araria.
7. Shri Manoj Kumar, the then District Programme Officer, Araria, presently posted as the District Education Officer, Nalanda.
8. The Secretary, Lokayukta, Bihar, 4 Kautilya Marg, Patna.
9. Smt. Krishna Kumari, wife of Late Ram Sewak Singh, Upgraded Middle School, Bochi Lahna, Kumar Tola, Block and District- Araria.
10. Smt. Reema Kumari, daughter of Niranjana Bharti, Middle School, Masunda Sikti, Block- Sikti, District- Araria.
11. Smt. Ruhi Begam, wife of Late Anwar Azad, Upgraded Middle School, Kakarduwa Palasi, Block- Palasi, District- Araria.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Suresh Kumar
For the Respondent/s : Mr.Madanjeet Kumar (GP-20)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-12-2019 Heard learned counsel for the parties.

2. The petitioner is seeking a direction to remove private respondent Nos. 9 to 11 from the post of Panchayat Teachers, as according to the petitioner, they have been appointed as such in violation of the Government notification as contained in notification No.1769 dated 24.11.2014. It is the petitioner's case that no appointment against the post of teachers can be made of a person, who does not have a qualification in



education. It is being argued that said private respondents do not have the basic qualification for appointment as teachers.

3. Learned counsel appearing on behalf of the Respondents-State of Bihar has submitted that since the petitioner does not have any *locus standi* to maintain this writ application as he cannot be said to be a party aggrieved.

4. In response to the said submission, learned counsel for the petitioner has submitted that the posts in question, are public posts, any person can question appointment of such unqualified persons by seeking a writ of *quo-warranto*.

5. Be that as it may, in the facts and circumstances of the present case, I consider it appropriate to direct the Director, Primary Education, Government of Bihar to look into the matter and find out as to whether persons are being appointed against post of Panchayat teachers/Assistant Teachers, who do not have the basic qualification of a teacher as prescribed under the Rules/guidelines. The said exercise shall not be confined to the present respondents only but must be carried out for the whole State of Bihar.

6. This application stands disposed of.

(Chakradhari Sharan Singh, J)

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