

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15274 of 2018

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Bibi Rijwana Praveen D/o of Md Ismail, Resident of Village-Brahmpur P.O.
Bhojpur Bhatgama Block-Purnea-east P.S. Ranipatra Muffassil District
Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 08-01-2020

Petitioner has prayed for the following relief(s).

“(A). For declaring Rule 15(iii) of Bihar Panchayat Teacher Employment and Service Condition Rule, 2009 and Rule (kha)(ii) Bihar Panchayat Teacher Employment Service Condition Rule 2012 as ultra vires by which a new Service Condition has been imposed to secure minimum qualifying marks in evaluation test otherwise services of the teachers would be terminated, if he/she/they failed to obtain the minimum marks in two evaluation test.

(B) To declare that service condition of the petitioner under Rule 12 (iii) of Bihar Panchayat Teacher Employment and Service Condition 2009/Rule 15



(kha)(ii) of Bihar Teachers Employment & Service Condition Rule 2012 is contrary to the service condition as laid down in Panchayat Primary Teachers Employment and service Condition Rule 2006.

(C) To implement the new service condition with retrospective effect is without jurisdiction of the State of Bihar.”

Yesterday, we passed the following order:-

“Despite repeated calls, none appears to press this petition.

However, in the interest of justice, matter is adjourned.

List this case on 08.01.2020”

Today also, none has entered appearance on behalf of the petitioner.

The petition is accordingly dismissed in default.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

P.K.P./-

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