

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8515 of 2018

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Sree Nawnit Kumar son of Sree Ganesh Jha at present residing at Mohalla -
New Bigrahpur Patna - 800001, Police Station - Jakkanpur and District -
Patna.

... .. Petitioner/s

Versus

1. The Union Of India
2. The Secretary, N.C.T.E., Bahadur Shah Zafar Marg, New Delhi - 2.
3. The State of Bihar through the Chief Secretary, Government of Bihar, at Patna - 800001, Bihar.
4. The Principal Secretary, Human Resources Department, Government of Bihar, Patna, Bihar.
5. The Joint Secretary, Human Resources Department, Government of Bihar, Patna.
6. The Special Secretary Cum Director, Primary Education, Human Resources Department, Government of Bihar, Patna, Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.
For the Respondent/s	:	Mrs. Shilpa Singh- GA 12
		Ms. Abhanjali, AC to GA 12

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2020 The petition filed on 1.5.2018 is listed for hearing
for the first time today before the Court.

Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following relief/s:

“For the issuance of a writ in the nature of



Mandamus or some other writ or writs or orders or directions for protecting the lives of the candidates having passed/competed the Teacher's Illegibility Test either in the year 2011 or onwards as shown in annexure- 1, or if any as defined in Article 21 of The Constitution of India and the existing vacancies as shown in Annexure-2 are available for the implementing the Right to Education to the Children as dedined as Fundamental Right of the Children under the provision of The Constitution of India and under the various other provisions for compulsory Education to the Children with a direction to te respondent authorities for maintaining the status and quality of The Education to the children in the State of Bihar whereas more than the available vacancies the candidates i.e. the well educated and well trained and competed the legibility Test for the appointment on the post of Teachers in due course as shown in Annexure-1 are fit to be taken and appointed whose life are hanging in the balance against the entire establishment of the Government acting in full swing with full efficiency with the regular establishment cost but without the implementing constitutional and fundamental rights of the citizens in general having with suitable qualifications and efficiency are waiting for life time award of the Government malfunctioning the Red-Tapism in the offices from which a protection is necessary to meet the ends of Justice under the present position of law whereas the authorities are sitting idle.”

After the matter was heard for some time, learned



counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents to consider and decide the representation, which the petitioner shall be making afresh within a period of four weeks from today.

Learned counsel for the State states that upon receipt of such request, if any, the same shall be dealt with in accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

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