

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24451 of 2019

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Ashok Kumar Singh Son of Sri Sarvanand Singh, Resident of Mohalla-New
Atwarpur, P.S. Parsa Bazar, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Deputy Secretary, Education Department, Government of Bihar, Patna.
4. The Director, Primary Education, Education Department, Government of Bihar, Patna.
5. The District Magistrate, Patna, District-Patna.
6. The District Education Officer, Patna, District-Patna.
7. The District Programme Officer, Establishment (Education), Patna, District-Patna.
8. The Panchayat Employment Unit, Parthu, Block-Punpun, District-Patna through its Secretary.
9. The Secretary, Panchayat Teacher Employment Committee, Parthu, Block-Punpun, District-Patna.
10. The Mukhiya-cum-Chairman, Panchayat Employment Committee, Parthu, Block-Punpun, District-Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Mrityunjay Kumar, Adv.
For the Respondent/s	:	Mr. Umesh Narayan Dubey, AC to GP 27

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 09-01-2020 Heard both sides.

The petitioner filed this writ petition for the following

reliefs:-

- (i) For issuance of a writ in the nature of Mandamus or any other appropriate writ/order/direction for amendment/addition in Column 8 of Notification contained in File (Sanchika) No.7/Vividh 25/2019 dated 05.07.2019



whereby and whereunder only those earlier appointed teachers have been allowed to apply for consideration of their appointment/employment in other employment units who have passed their Teacher Eligibility Test.

(ii) For issuance of a writ in the nature of Mandamus or any other appropriate writ/order/direction to the respondents to allow the petitioner who is an earlier appointed teacher (in the year 2010) to submit his applications for consideration of appointment/employment in other employment units nearby to the home of the petitioner, who has passed his Teacher Evaluation Test (Dakshta Pariksha).

(iii) For issuance of a writ in the nature of Mandamus or any other appropriate writ/order/direction to the respondent employment unit to consider and forward the application of petitioner for employment in other employment units.

(iv) For any other relief(s) as this Court may deem fit and proper as per the facts and circumstances of this case.

Learned counsel for the petitioner submits that the petitioner has already been appointed as niyojit teacher but the government has issued a fresh notification as contained in Memo No.864 dated 05.07.2019 containing terms and conditions for fresh appointment of teachers in different employment units.

Learned counsel for the petitioner further submits that clause 8 of the aforesaid notification provides that only such teachers, who have passed Teacher Eligibility Test, can apply for



appointment in different employment units, but I find that before enactment of the Bihar Panchayat Prarambhik Shikshak (Niyojan Avam Sewa Sart) Niyamawali, 2012, there was no minimum qualification for a T.E.T. passed candidate but later on N.C.T.E. prescribed minimum qualification for fresh appointment of teachers and the government has rightly inserted the clause that only such teachers can apply for fresh appointment in different employment units, who have passed Teacher Eligibility Test.

Having considered the facts aforesaid, I find no merit in this writ petition. Accordingly, the same is dismissed.

(Prabhat Kumar Jha, J)

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