

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No. 3276 of 2019

In

Civil Writ Jurisdiction Case No. 24114 of 2013

Rajendra Kumar, gender-male, S/o Late Sukdeo Prasad Yadav aged about 58 years, R/o village + P.O.-Bhawanipur Railway Gumti No. 10, P.S.-Gopalpur (Rangra Chowk), District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shri R.K.Mahajan, Principal Secretary, Human Resources Development Department, Government of Bihar, Patna
3. Sri Arvind Kumar Verma, Director, Primary Education, Government of Bihar, Patna
4. Sri Om Prakash Pal, Secretary, Bihar Staff Selection Commission, Veterinary College, Patna.

.. ... Respondent/s

Appearance :

For the Petitioner/s : Mr. Gyanendra Kumar Shukla, Adv.
For the State : Mr. Rakesh Narayan Singh, AC to AAG-15

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

4 02-08-2021 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

The present petition has been filed complaining about disobedience of the order of this



Court dated 18.04.2014 passed in CWJC No. 24114 of 2013. The said writ petition was disposed of in light of the order dated 15.01.2014 passed in CWJC No. 17899 of 2012, whereby and whereunder certain observations and directions had been made for filling up 2413 posts of primary teachers under the Education Department.

The Respondent-State has filed a supplementary show cause wherein it has been stated that the Bihar Staff Selection Commission has processed the remaining vacancy of 2204 posts and thereafter, recommendations have been made for 1960 posts by the Bihar Staff Selection Commission. It is also submitted that the cases of 244 candidates are pending verification before the Bihar Staff Selection Commission and after verifying the same, folders of 86 candidates have again been received by the Directorate and the process of finalization of the same is underway. In fact, the said supplementary show cause has also



given details with regard to the status of the remaining cases, however, the same is not relevant as far as the present case is concerned.

The learned counsel for the petitioner submits that the case of the petitioner has been rejected on the ground that the institution from where he has attained the B.Ed. Degree, is not recognized.

This Court finds that the said question being raised by the petitioner is required to be addressed in a fresh proceeding, in response to which, the learned counsel for the petitioner seeks liberty to file a fresh writ petition agitating his subsisting grievances.

Accordingly, the present writ petition stands disposed of with liberty to the petitioner to agitate his subsisting grievances by filing a substantive writ petition.

(Mohit Kumar Shah, J)

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