

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13699 of 2018

Shiv Shankar Prasad Thakur S/o Yougeshwar thakur Resident of Village-
Barheta, P.O. Barheta, P.S.Kalyanpur, District- Samastipur, Bihar- 848302.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Primary Education, Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The District Education Officer, Samastipur.
5. The District Programme Officer Establishment, Samastipur.
6. The Block Development Officer, Kalyanpur, District- Samastipur.
7. The Block Education Officer, Kalyanpur, District- Samastipur.
8. The Head Master, Upgraded Middle School, Kamargama, Kalyanpur,
District- Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar, Adv.

For the Respondent/s : Mr. Prabhakar Jha- Gp27

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

4 21-11-2022

1. Heard the parties.

2. The petitioner has not done bridge course. The petitioner has done training from West Bengal Board of Primary Education and was required to be bridge course.

3. Keeping in view, the observations made by this Court in **C.W.J.C. No. 16214 of 2019 (Md. Ataur Rahman & Ors. Vrs. The Union of India & Ors.)** and **Analogous Cases**, (Category 'E'), dated 19.10.2022, the writ petition is disposed



of in the following terms with directions that the petitioner shall be allowed to complete the bridge course and if he successfully completed, he shall be continued:-

“CATEGORY E:-

01. The petitioners have already passed the two years D.P.E. course from IGNOU. However, the N.C.T.E. has not recognized the said course unless the candidate has completed a six months bridge course for the purpose of treating them as trained.

02. It is the case of the petitioners that the said bridge course of six months was not conducted at the level of the respondents and the teachers therefore cannot be made to suffer on account of not conducting of the bridge course.

03. In the opinion of this Court, the petitioner's bridge course is required to be conducted by the State Government as soon as possible and for the said purpose, it is directed that the State Government shall conduct the bridge course within a period of three months from the date of passing of this order.

04. On participating in the bridge course those teachers who cleared the bridge course shall be treated as continued in service but for others the order of termination in terms of the Act of 2017 shall apply. This is so because the training conducted by the IGNOU initially was treated as equivalent and it is subsequent Act of the N.C.T.E. declaring the same as unrecognized. The purpose under the R.T.E. Act 2009 is to see the teachers are trained. Admittedly, two years training has already been granted to them and it is only for the purpose of recognition in terms of the N.C.T.E. that the six months bridge course is required to be done. It is also not a case where the teachers have refused to move for the bridge course.



05. Keeping in view thereto, the aforesaid directions are issued in their favor. The writ petitions are partly allowed. It is made clear that on account of any such reason an individual teacher who may have been removed from service shall be reinstated and allowed to continue, if he clears the bridge course he would be allowed to participate in the bridge course for the purpose. The reinstatement shall only be after he has completed the bridge course. Such teacher would be entitled for continuance of service. However, salary for the intervening period shall not be paid to him on terms of the principle of no work no pay.”

4. The writ petition is accordingly disposed of.

(Sanjeev Prakash Sharma, J)

Pravinkumar/-

Item No. 102

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