

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18804 of 2021

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TET Prarambhik Shikshak Sangh Office Address - Bharduwaj Ashram,
Sarvoday Nagar, Ward No.- 40, P.S.- Begusarai Sadar, District - Begusarai,
through its authorised representative, Raju Kumar, Male, aged about - 33
years, S/o Sri Umesh Singh.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The Director, Primary Education, Government of Bihar, Patna.
5. The Cabinet Secretary, Government of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar, Advocate
For the Respondent/s : Mr.Pawan kumar (AC To AG)

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

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

2 10-02-2022 Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):

“(i) For issuance of a writ in the nature of
Mandamus or any other appropriate
writ/order/direction for declaring/commanding
the Rule 6 (V)(A) as well as explanation part of
the Rule 6 (v) in Hindi Version of the Bihar



Nationalized Primary School Headmaster (Appointment/Transfer, Disciplinary Action and Service Condition) Rules, 2021 (hereinafter referred to as the Rule 2021) as ultervires.

(ii) Further, for issuance of a writ in the nature of mandamus or any other appropriate writ/order/direction to the Respondents to clarify the meaning of the Provisions contained in Rule 6 (iv) of the Rule 2021 in Hindi Version and English Version as the same seems to be different and the provision contained in English version may be prevailed.

(iii) Further, for issuance of a writ in the nature of mandamus or any other appropriate writ/order/direction to the respondents to consider and make same provisions in Rule 6 (V) (A) with regard to the past experience of teachers as has been provided in Rule 6 (V) (B) of the Rule 2021.

(iv) Further, for issuance of a writ in the nature of mandamus or any other appropriate writ/order/direction to the respondent Authorities to stay the implementation of the abovesaid provisions of Rule 6 (iv) and (v) of the Rule 2021 or kindly be pleased to allow all the Basic Grade TET Teachers to Participate in the selection process till final disposal of this writ application.

(v) And for any other relief(s) as Your Lordships may be pleased that the petitioner may be entitled to as per the facts and circumstances of the case.”

After the mater was heard for some time, finding the Bench not to be in favour of the submission so made across the Bar, learned counsel for the petitioner, under instructions, states that, in view of the intervening developments, the petition may be permitted to be withdrawn

Prayer allowed.



Petition is disposed of as withdrawn.

Interlocutory application, if any, shall also stand
disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/chn

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