

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2102 of 2023

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Udal Kumar Son of Late Chandrika Prasad Resident of Village- Rustamchak,
P.O.- Gayani Bigha, P.S.- Shakurabad, District-Jehanabad.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary Human Resources Development Department, Government of Bihar, Patna.
2. The Director (Primary Education) Human Resources Development Department, Government of Bihar, Patna.
3. The Chairman District Compassionate Committee cum District Magistrate (D.M.) Jehanabad, District- Jehanabad.
4. The District Magistrate, District- Jehanabad.
5. The District Education Officer, District- Jehanabad.
6. The Block Development Officer-cum-Executive Officer Rani Faridpur, District- Jehanabad.
7. The Block Education Officer, Block Ratani Faridpur, District- Jehanabad.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Arvind Prasad Singh, Advocate
For the Respondent/s : Mr.Madan Jeet Kumar (GP-20)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 27-07-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner in the present case is questioning his termination for the reason that he could not pass the Teachers Training Examination.

3. Learned counsel for the petitioner submits that the petitioner was appointed on the post of Assistant Teacher in Primary School on compassionate ground after death of his father on 16.07.2004. It is submitted that the petitioner had applied for appointment on compassionate ground on the Group- C post and his name was short-listed for the same as



Annexure '1' but ignoring the recommendation of the Chairman, District Compassionate Appointment Committee, the respondents issued a selection letter on 26.11.2009 and directed the petitioner to join on the post of Untrained Block Teacher on contract basis in place of Group-C. Accordingly, the petitioner submitted his joining on the post of Block Teacher Untrained and continued to work.

4. Learned counsel submits that the petitioner has accepted the joining under compulsion, however, neither in the writ application by way of averment nor by way of annexure any material has been brought to the notice of the Court to demonstrate that after his joining as a Block Teacher, this petitioner ever approached the authorities to allow him to join on Group- C post and not as an Assistant Teacher.

5. It appears that only when the requirement of completion of Teachers Training Course came and the petitioner failed in the Teachers Training Examination, he has come out with a plea that he should have been allowed to join in Group- C post. For about 10 years, he never agitated this issue and was happy with his appointment as Assistant Teacher.

6. In the facts of the case, the petitioner failed to make out the case for interference.



7. This writ application has no merit, it is dismissed.

(Rajeev Ranjan Prasad, J)

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