

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18635 of 2014

1. Dilip Kumar Son of Late Doman Ram Resident of Jamuawan, P.O. Jamuawan, P.S. Daud Nagar, District - Aurangabad.
2. Kamalkant Pyarelal S/o Late Chandrik Ram Resident of Village P.O. Jamuawan, P.S. Daud Nagar, District - Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Human Resources Development Department, Bihar, Patna.
3. The Director, Primary Education Human Resources Development Department, Bihar, Patna.
4. The Director Research and Training Human Resources Department, Bihar, Patna.
5. The Chairman, Bihar Staff Selection Commission, Bihar, Patna.
6. The Secretary, Bihar Staff Selection Commission, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Satish Kr. Sinha, Adv. Mr. Mundrika Ram, Adv.
For the Respondent/s	:	Mr. Manoj Kr. Sinha, (AC to GA-9)
For the B.S.S.C.	:	Mr. S. S. Sundaram, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 07-12-2023 1. Heard learned counsel for the petitioners, learned counsel for the Bihar Staff Selection Commission and learned counsel for the State of Bihar.

2. The petitioners being aggrieved by not being selected as Primary School Teachers on their having applied against Advertisement No. 210 of 2010 issued by the Commission, filed the instant writ application for the following relief(s):

(i) To hold that the result of petitioners contained in Annexure- 4 series is non est in the eye of law.

(ii) To hold that the petitioners passed the Teacher Training Examination from Sidharth Primary Teacher Training College, Jehanabad and the result of the petitioners has been declared valid by the Bihar School Examination Board pursuant to the order of the Hon'ble High Court, Patna. Hence, the Bihar Staff Selection Commission has got no right to declare the said result invalid.

(iii) To direct the respondent to appoint the petitioners as an Assistant Teacher in a Primary School of State forthwith giving all the benefits from the date of appointment of other candidates.

(iv) To hold that the result of petitioners is in the teeth of different decision of the Hon'ble High Court passed in C.W.J.C. No. 1800/2006 and C.W.J.C. No. 10056/2006.

(v) To any other relief(s) for which petitioners are found entitled to.

3. Learned counsel for the Commission submits that as per instructions received, on their application having been filed, both the petitioners were granted applicant I.D. No. OP201054618 and OP201043050. By order contained in Memo No. 958 dated 7.5.2019, issued under the signature of the Secretary, Bihar Staff Selection Commission, Patna, both the petitioners have been recommended for appointment.

4. A photo copy of the order contained in Memo No. 958 dated 7.5.2019 is produced which is taken and kept on record.

5. In view of the above, learned counsel for the petitioners submits that he may be permitted to withdraw the instant application.

6. This application stands disposed of as withdrawn.

(Partha Sarthy, J.)

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