

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15475 of 2021

=====

Niranjn Kumar Mandal, Son of Gulab Mohan Mandal, Resident of Ward No. 08, Barmasia, Katihar, Dist. - Katihar, Bihar, Pin Code 854105

... .. Petitioner/s

Versus

1. The State of Bihar, through the Secretary, Human Resources Development Department, Govt. of Bihar, New Secretariat, Patna-1
2. The Director, Human Resources Development Department, Primary Education Govt. of Bihar, New Secretariat, Patna - 1
3. Special Secretary, Human Resources Development Department, Primary Education, Govt. of Bihar, New Secretariat, Patna-1.
4. District Education Officer, Katihar, Bihar.
5. The Block Education Officer, Korha, Katihar.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Din Bandhu Mishra, Advocate
For the Respondent/s : Mr. Madhukar Mishra, AC to SC-16

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 24-08-2023 Learned counsel for the petitioner as well as the State jointly submit that this writ application may be disposed of in terms of the Hon'ble Division Bench judgment of this Court in LPA No.1870 of 2015 (Annexure- '13' to the writ application).

2. By filing this writ application, the sole petitioner prays for a writ in the nature of mandamus commanding the respondents to treat the petitioner as having passed in first attempt his teachers training examination of the year 2004. The grievance of the petitioner is that he took admission in Mahila Primary Teacher Education College, Katihar in the session 2000-2001 and completed his training on 30.07.2001 but the



Bihar School Examination Board (hereinafter referred to as the 'Board') did not conduct his examination in the same year. It is his case that the examination was conducted in the year 2004 and the petitioner appeared in the said examination but failed in two subjects whereafter the Board conducted a compartmental examination in the year 2007 in which the petitioner appeared and passed in those two subjects. Presently the petitioner is teaching in Upgraded Middle School, Sheikh Tola, Binodpur, Korha, District-Katihar.

3. It is submitted that the case of the petitioner is fully covered by the judgment of this Court in CWJC No.2892 of 2013 (Brajesh Kumar and others Vs. the State of Bihar and others) against which the Letters Patent Appeal being LPA No.1870 of 2015 was filed, order of which is contained in Annexure- '13' to the writ application.

4. The grievance of the petitioner is that the respondents are not treating him as having passed his examination in first attempt. In this regard, he has filed several representations from time to time to the respondents but those were not attended.

5. At this stage, since this Court finds that learned counsel for the State is in agreement with the submission of



learned counsel for the petitioner that the case of the petitioner would be covered by the judgment of the learned Writ Court in CWJC No.2892 of 2013 and LPA No.1870 of 2015 (Annexure- '13'), therefore, this Court is disposing of the present writ application with a direction to the respondent authorities to look into the grievance of the petitioner, consider the same in the light of those two judgments (Annexure- '12' and '13') and in case the case of the petitioner is identically situated, he shall also be given the benefit of those judgments/orders.

6. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

arvind/-

U			
---	--	--	--

