

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10731 of 2023

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TET-STET Uttrin Niyojit Shikshak Sangh (TSUNUSS) GOP GUT Address-
Gram Pakdia, Purvi Champaran, Motihari- 845315 through its authorized
representative Mukesh Kumar Raj, aged about 36 years (M), S/o Badri
Narayan Mistry

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. Additional Chief Secretary, Education Department, Bihar, Patna.
3. Shri K K Pathak, currently posted as Additional Chief Secretary, Education
Department, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Amrit Kumar, Advocate Mr. Rishav Ranjan, Advocate Mr. Kumar Shanu, Advocate
For the Respondent/s	:	Mr.P.K. Shahi (AG)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 25-08-2023

1. The writ petition in the nature of a Public Interest
Litigation is filed by an organization said to be representing the
school teachers in the State. The petitioner-organization asserts
in the writ petition that they have no personal interest in the
present case and there is no 'self-gain' behind the writ petition.
It is asserted that the writ petition is filed in Public Interest,
against Annexure-1 issued by the Additional Chief Secretary,



Education Department, Government of Bihar. The communication addressed to all the Regional Deputy Directors, Education and the District Education Officers in the State of Bihar highlights the protest against School Teacher Recruitment Rules, 2023 carried on by the school teachers. It is cautioned that if any of the teachers employed in the local bodies or any Government employee participates in the protest or any programme, opposing the Government, then action against them may be ensured as per the rules, immediately.

2. At the outset, we have to notice that there can be no allegation raised against the communication issued by the Additional Chief Secretary to his subordinate officers, especially in so far as it only requires that discipline be ensured and that too in accordance with the rules. We can find no public interest since none of the Government employees can claim to act against the discipline and the rules framed for their conduct in service. Yet again, if any illegal action is taken based on the said communication, it is for the individual teacher to apply before the appropriate forum for relief. We find absolutely no reason to interfere with the communication issued but make it clear that any proceeding taken could be challenged by the individuals, in accordance with law.



3. We close the writ petition.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

P.K.P./-

AFR/NAFR	
CAV DATE	
Uploading Date	30.08.2023
Transmission Date	

