

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4485 of 2024

1. Dinbandhu Prabhakar Son of Late Upendra Prasad, residence of Village-Dalhatta Chauk Munger, P.O.- Munger, P.S.-Kotwalia Munger, District-Munger, Pin Code-811201.
2. Amit Kumar Singh @ Amit Kumar, Son of Upendra Narayan Singh, residence of Village-Balthi, P.O.-Sardiha, P.S.-Simari Bakhtiyarpur, District-Saharsa, Pin Code-852127.
3. Md. Sahail Qamar son of Md. Ansar Jang Khan, residence of Village-Jaukhar, P.O.-Satparaiya, P.S.-Shahkund, District-Bhagalpur, Pin Code-813108.
4. Manikant Pratap Singh, Son of Surendra Prasad Singh, residence of Village-Darha, P.O.- Asarganj, P.S.-Tarapur, District-Munger, Pin Code-813201.
5. Manoj Kumar Son of Chaturbhuj Mehta, residence of Village and P.O.Sarmastpur, Via- Chandanpatti, P.S.-Sakra, District-Muzaffarpur, Pin Code-843104.
6. Santosh Kumar Son of Late Ramchandra Mahto, residence of Village-Damodarpur, P.O.- Pasopur, P.S.- Bhagwanpur, District- Begusarai, Pin Code- 851112.
7. Dhananjay Kumar, son of Rudal Prasad, residence of Village-Gora, Ward No.7, P.S.-Shanchari, District-West Champaran.
8. Manindra Kumar Son of Sone Lal, residence of Village and P.O.-Rani Sakarpura, P.S.- and District-Khagaria.
9. Arbind Kumar Singh Son of Baidyanath Singh, residence of Village-Singha Tola Pandit Pura, P.S.- Mirganj, District-Gopalganj.
10. Braj Kishore Tiwary, Son of Lalan Tiwari, residence of Village-Sanauli, P.S.- Sanauli, District-Saran.
11. Ajay Kumar Sinha, Son of Hari Narayan Prasad, Ward no.51, Pathar Ki Masjid Maghlanibag, Tekari Road, near Devi Sthan, P.S.-Sutanganj, District-Gopalganj.
12. Saravjeet Kumar Pandey, Son of Madan Pandey, residence of Village-Ankorha, P.S.- Ankorha, District- Rohtas.
13. Dharmendra Kumar Giri, Son of Ramadhar Giri, residence of Village-Siswa, P.S.- Karwan, District- Saran.
14. Rinki Kumari, wife of Sudhakar Kumar, residence of Village-Hasanpur, P.S.Lakhisarai, District- Lakhidarai.
15. Tripurari Pandey, Son of Sudhir Chand Pandey, residence of Village-Railway Station Downside Thakurwari, P.S.-Malaypur, District- Jamui.
16. Sanjay Kumar, Son of Kamal Prasad, residence of Village-Ankorha, P.S.Ankorha, District- Rohtas.
17. Chandra Deo Pandey, Son of Shankar Dayal Pandey, residence of Village-Chandwa Ram Nagar, P.S.- Chanda, District- Bhojpur.
18. Subodh Kumar, Son of Jay Ram Sharma, residence of Village and P.O.- Garvu Sthan Nayatola Purani Bazar, P.S. and District- Lakhisarai.



- 19. Brajendra Kumar, Son of Ram Prasad Pandit, residence of Village-Jolahbigha, P.S.-Parasbigha, District- Jehanabad.
- 20. Radha Kumari, Son of Mukesh Kumar, residence of Village-Saketpuri, Hanuman Nagar, P.S.- Kankarbagh, District- Patna.
- 21. Runa Kumari, wife of Dilip Kumar, residence of C-6, Road no.2, Vijy Nagar, Hanuman Nagar, Kankarbagh, P.S.- Hanuman Nagar, District- Patna.
- 22. Anjana Kumari Sinha, Wife of Vikash Sahay, residence of Near Kabir Math, Postal Park, Road no.3, Chiraiyantad, District-Patna.
- 23. Vina Kumari, wife of Umesh Kumar, residence of Sector-C, Damodar Colony, P.S.- Hajipur, District- Vaishali.
- 24. Kumari Dipa, daughter of Narendra Kumar Singh, residence of Village and P.O. Raghobpur, P.S. -Bibhutipur, District- Samastipur.

... .. Petitioners

Versus

- 1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
- 2. The Additional Chief Secretary, Department of Education, Govt. of Bihar, Patna.
- 3. The Director, Primary Education, Government of Bihar, Patna.
- 4. The Director, Secondary Education, Government of Bihar, Patna.
- 5. The Director, Higher Education, Government of Bihar, Patna.
- 6. The Bihar Public Service Commission through its Chairman, 15, Jawaharlal Nehru Marg, Bailey Road, Patna.
- 7. The Chairman, Bihar Public Service Commission, Bihar, Patna.
- 8. The Secretary, Bihar Public Service Commission, Bihar, Patna.
- 9. The Joint Secretary cum Examination Controller, Bihar Public Service Commission, Bihar, Patna.

... .. Respondents

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Appearance :

For the Petitioners	:	Mr. Shashi Bhushan Singh, Advocate Mr. Ram Narayan Mahto, Advocate
For the BPSC	:	Mr. Sanjay Pandey, Advocate Mr. Nishant Kumar Jha, Advocate
For the Respondents	:	Mr. Government Advocate (2) Mr. Kunal Tiwary, AC to GA-2

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL JUDGMENT
Date : 18-07-2024



Heard learned counsel for the petitioners, learned counsel for the State and learned counsel for the Bihar Public Service Commission.

2. The petitioners have filed this writ petition seeking a direction to the respondents for relaxation of the upper age limit to enable participation of the petitioners for appointment as School Teacher under Advertisement No. 22 of 2024 issued by the BPSC. The provision under which the relaxation of upper age limit is sought for appears to be Rule 5 of the Bihar State School Teachers (Appointment, Transfer, Disciplinary Proceedings and Service Conditions) Rules, 2023.

3. It has been submitted that under the aforesaid rules the competent authority to relax the upper age limit is respondent No.2/ the Additional Chief Secretary, Education Department, Government of Bihar.

4. There is no material placed on record as to whether the petitioners have approached the respondent No. 2 / the Additional Chief Secretary, Education Department, Government of Bihar for relaxation of the upper age limit of the petitioners for enabling them to participate in the recruitment conducted by the BPSC pursuant to the Advertisement No. 22 of 2024.



5. Under the circumstances this writ petition stands disposed of with liberty to the petitioners to approach the competent authority, namely, the respondent No.2/ the Additional Chief Secretary, Education Department, Government of Bihar for relaxing the upper age limit of the petitioners in terms Rule 5 of the Bihar State School Teachers (Appointment, Transfer, Disciplinary Proceedings and Service Conditions) Rules, 2023.

(Nani Tagia, J)

Nishant/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.07.2024.
Transmission Date	NA

