

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4551 of 2016

1. Ramashish Paswan Son of Late Mauji Paswan, resident of village- Alamchak, P.S. Mansuchak, District- Begusarai.
2. Sita Ram Das, son of Baleshwar Das, resident of village- Arwa, P.S.- Bachhwara, District- Begusarai.
3. Dinesh Kumar Ram, son of Madan Ram, resident of village- Khedaspur, P.S.- Ghatho Dalsighsarai, District- Samastipur.
4. Vivekanand Kumar Priyadarshi, son of Raj Balabh Paswan, resident of village- Makdumpur, P.S.- Manpur, District- Nalanda
5. Munindra Kumar, son of Jagdish Paswan, resident of village- Murouwadih. P.O.- Murowa, P.S.- Prihar, District- Nalanda.
6. Pashupati Paswan, son of Harivansh Paswan, resident of village- Safopur, P.S.- Nayagown, District- Begusarai.
7. Shrawan Kumar Roy, son of Late Jagdish Mahto
8. Rita Devi, wife of Shrawan Kumar Roy, both are resident of village- Gachi Tola, Sanichara Sthan, Ward no.- 10, P.S.- Begusarai, District- Begusarai.
9. Ram Lochan Paswan, son of Panchee Paswan, resident of village- Manopur, P.S.- Manopur, District- Begusarai.
10. Lalit Kumar Pal, son of Vishnudeo Rawal, resident of village- Chechani, P.O.- Velsar, Via- Vithan, District- Samastipur.
11. Sona Kumari, Daughter of Late Lilo Chaudhary, resident of village- Danauli, P.O.- Danauli Phulwariya, Via- Lakhminia, District- Begusarai.
12. Damodar Paswan, son of Harivansh Paswan, resident of village- Safapur, P.S.- Nayagaon, District- Begusarai.
13. Shambhu Paswan, son of Late Nageshwar Paswan, resident of village- Narepur Diyara, P.O.- Balhwara, District- Begusarai.
14. Jitendra Kumar, Son of Vishwanath Sahni, resident of village- Baligaon, Via- Patepur, District- Vaishali.
15. Devraj Dileep, Son of Balo Sahni, resident of village- Chukti, P.O. P.S.- Mansi, District- Khagaria.
16. Rajesh Kumar Ranjan, Son of Ajay Kumar Thakur, resident of Mohalla- Chitragupt Nagar, P.S. District- Khagaria.
17. Md. Sarfaraz Alam, son of Md. Fakhre Alam, resident of Village- Marar, P.S.- Morkahi, District- Khagaria.
18. Kapildeo Paswan, son of Rameshwar Paswan, resident of Village P.O.- Mathurapur, District- Khagaria.
19. Pramod Kumar Paswan, son of Late Ramjapi Paswan, resident of Village- Karsauli, P.O.- Hasanpur, P.S.- Hasanpur Road, District- Samastipur.
20. Nitu Kumari, Daughter of Chanitra Paswan, resident of Village P.O.- Binodpur, District- Begusarai.
21. Anil Kumar, son of Rajendra Paswan, resident of Village- Daffaspur Panchtt,



P.O.- Nawkothi, District- Begusarai.

22. Sudha Kumari, Daughter of Ramdeo Paswan, resident of Village- Pokharia, P.O.District- Begusarai.
23. Mahboob Alam, son of Moulvi Ahmadullah, resident of Village- Rasalpur, P.O.- Bahadurpur, District- Samastipur.
24. Rakesh Kumar, son of Somnath Prasad, resident of Village- Murauradih, P.S.- Bihar, District- Nalanda.
25. Ravindra Kumar, son of Jagdish Paswan, resident of Village- Moraura, P.S.- Bihar, District- Nalanda.
26. Rajni Kumari, Daughter of Hari Das, resident of Village- Murouradih, P.O.- Muroura, P.S.- Bihar, District- Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Education Department, Government of Bihar, Patna
4. The Director, Primary Education, Bihar, Patna.
5. The Director, Administration, Education Department, Bihar, Patna.
6. The District Education Officer, Shekhpura.
7. The District Education Officer, Madhubani.
8. The District Education Officer, Kishanganj.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Varun Kumar
For the Respondent/s : Mr.S.P. Singh- Ga7

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- | | | |
|---|------------|--|
| 4 | 22-04-2024 | <ol style="list-style-type: none">1. Heard learned Counsel for the parties concerned.2. The petitioners, altogether 26 in numbers, filed the present writ application for quashing Memo no. 821, dated 17.07.2015, issued by the Director, Primary Education, Bihar, Patna, whereby the candidature of the petitioners have been rejected for appointment as teachers |
|---|------------|--|



against 34540 posts on the ground that they have passed the two-years teachers training course from Dr. Ambedkar Hindi Sanskrit Vidyapeeth, Jokiya, Begusarai, which is not a recognized institute.

3. Learned Counsel for the petitioners submits that the name of the petitioners find place in the list of 34540 candidates, which has been approved by Hon'ble Supreme Court.
4. Since the lists of candidates submitted by Hon'ble Mr. Justice S.K. Chattopadhyaya (Retd.) Committee has been approved, 25 petitioners have been appointed by the respondents, except petitioner no. 3.
5. Learned Counsel for the State submits that the candidature of the petitioners were rejected earlier on the ground that teachers training certificate obtained by them was from an institute, which was not recognized. He further submits that in terms of the decision rendered by the Hon'ble Supreme Court in connection with the appointment of 34540 posts of teachers, a Division Bench of this Court, in L.P.A. No. 1254 of 2016, by its order dated 28.08.2023, has held that the list for appointment of 34540 teachers was prepared under the supervision of



Hon'ble Mr. Justice S.K. Chattopadhyaya (Retd.) and the persons appointed from that list cannot be terminated on the ground of qualification not having been properly verified unless otherwise permitted by Hon'ble Supreme Court. The verification of credentials and qualifications of the candidates could not be done at this late stage.

6. In compliance of the aforesaid order passed in L.P.A. No. 1254 of 2016, a general direction has been issued by the Director, Primary Education, Government of Bihar, Patna, dated 01.01.2024, vide letter No. 07/01-60/2023-01 to all the District Education Officers and District Programme Officers (Establishment) of the State of Bihar to ensure compliance of the order of Hon'ble High Court in the matters pertaining to teachers of 34540 posts and to send compliance report.
7. Accordingly, the submission is that in view of the direction dated 01.01.2024, needful in the matter is to be done by the concerned Districts, which have been allocated to the petitioners for their appointment under 34540 posts.
8. Having regard to the submissions advanced on behalf of the parties and taking into consideration the fact that



similarly situated 25 petitioners have been appointed except petitioner no. 3, who claims to have been included in the list of 34540 posts of teachers, accordingly, I direct the District Education Officer, Madhubani, to consider the claim of the petitioner no. 3 for his appointment on the post of teacher in the same manner as 25 writ petitioners have been appointed.

9. With the aforesaid observations and directions this writ application is disposed.

(Anil Kumar Sinha, J.)

siwani/-

U	√		
---	---	--	--

