

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12316 of 2016

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Punam Kumari Wife of Ranjeet Kumar Jha Resident of Village - Pandittol
Tabhka, P.S. - Bibhutipur, District - Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Human Resources Development Department, Patna.
3. Bihar Siksha Pariyojna Pari Shad through its Director, Beltron Bhawan,
Shastrinagar, P.S. - Shastri
4. The Director, Primary Education, Government of Bihar, Patna.
5. The Administrative Officer, Bihar Education Project Council Shiksha
Bhawan, Rastrabhasha Parishad,

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Singh
For the Respondent/s	:	Mr. Arvind Ujjwal- Sc25
For the Respondent		
No. 7	:	Mr. Subodh Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 03-05-2024 1. The petitioner has filed the present writ application for

issuance of a writ in the nature of mandamus

commanding and directing the respondent authorities to

adjust the petitioner against the suitable post as has been

done in the case of non- formal supervisors.
2. The brief facts of the case are that, the petitioner was

appointed as Lok Shikshak for 11 months on contractual

basis in the year, 2003 at par with Shiksha Mitra.
3. Learned counsel for the petitioner submits that Shiksha

Mitra has been absorbed as Panchayat Teacher, after

coming into force Bihar Panchayat Elementary Teachers

(Employment and Service Conditions) Rule, 2006

(hereinafter referred to as “the Rule, 2006”) but the



petitioner has not been considered for absorption/regularization.

4. Pursuant to the order passed by a co-ordinate Bench of this Court in C.W.J.C. no. 14493 of 2008 and the claim of regularization/ absorption of the petitioner as Panchayat Teacher, this writ application has been filed in the year 2016, seeking absorption/ regularization as Panchayat Teacher, relying upon a judgment passed by a co- ordinate Bench of this Court in C.W.J.C. no. 1109 of 2017.
5. Learned counsel further submits that while rejecting the claim of the petitioner, certain relaxation and weightage of marks has been provided to the Lok Shikshak in the matter of selection of Panchayat Teacher as per Bihar Panchayat Elementary Teachers (Employment and Service Conditions) Rule, 2012.
6. Learned counsel for the State submits that Rules have been amended from time to time and now Bihar Panchayat Elementary Teachers (Employment and Service Conditions) Rule, 2023 for appointment of Teachers have been framed and as per the said Rule, the appointment of teachers shall be made on regular basis through open competitive examination held by Bihar



Public Service Commission.

7. In view of the rival submissions made by the parties and the fact that the claim of absorption of the petitioner in C.W.J.C. no. 1109 of 2017 was rejected as also considering the fact that now Bihar Panchayat Elementary Teachers (Employment and Service Conditions) Rule, 2023 has come into force for appointment of Teachers on regular basis, no relief can be granted to the petitioner.
8. The present writ application is accordingly, dismissed.

(Anil Kumar Sinha, J)

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