

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3247 of 2021

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Sharfe Alam Son of Haji Nayeemuddin Ali Resident of Village - Khursheda,
P.O. Kurnoul- Via- Ahaipur, P.S. - Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director (Secondary) Education, Government of Bihar, Patna.
4. The Regional Deputy Director of Education, Tirhut Division, Muzaffarpur.
5. The District Education Officer, Muzaffarpur, District- Muzaffarpur.
6. The District Programme Officer (Establishment), Muzaffarpur, District- Muzaffarpur.
7. The Assistant Director, (Secondary Education) Muzaffarpur, District- Muzaffarpur.
8. The Headmaster, Plus 2 Gopal Prasad Upadhyay Project Girls High School, Sahebganj, District- Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Tej Bahadur Singh, Sr. Adv. Mr.Brisketu Sharan Pandey, Adv.
For the Respondent/s	:	Mr.S.C. Mishra, SC 16

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 11-07-2024 Heard Mr. Tej Bahadur Singh, learned Senior Counsel assisted by Mr. Brisketu Sharan Pandey, learned counsel appearing on behalf of the petitioner and Mr. S.C. Mishra, learned counsel appearing for the State.

2. Learned Senior Counsel for the petitioner submits that by screening report dated 12.02.2007 (Annexure-P/2 of the writ application), the Screening Committee has wrongly mentioned



the date of appointment of the petitioner and also wrongly held that the petitioner did not possess the Teachers training certificate though the petitioner has already completed his B.ED course in the year, 2009 itself. On the basis of screening Committee report, the Director (Secondary) Education has rejected the claim of the petitioner by memo no.573 (P) dated 22.05.2008 and directed to file an application before the Director (Secondary) Education after the order of the State Government.

3. Learned Senior Counsel submits that by Annexure-P/8, the Director (Secondary) Education directed the aggrieved persons to appear before him on 30.01.2009, where after, the petitioner filed his application (Annexure-P/9) before the Director (Secondary) Education but till date no order has been passed.

4. Considering the facts and circumstances of the case, the petitioner is directed to file a fresh representation, enclosing all the documents in his support before the respondent no.3 within a period of two weeks and the respondent no.3 is well advised to pass a reasoned and speaking order, after hearing the petitioner or his counsel, within a period of eight weeks from the date of receipt of representation of the petitioner.



5. Respondent no.3 shall consider this fact that the Screening Committee has wrongly mentioned the date of appointment of the petitioner in the school in question as well as it wrongly held that the petitioner has not passed the Teachers training programme.

6. It is made clear that if an order is not passed within the stipulated period, the respondent no.3 shall be personally held liable for non-compliance of the order of this Court.

7. With the aforesaid direction, the present writ application is hereby disposed of.

(Anjani Kumar Sharan, J)

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