

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1753 of 2017**

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Ganesh Singh Son of Late Bindeshwari Singh, Resident of Village-  
Sahjadpur, P.S.- Barahiya, District- Lakhisarai.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Secretary, Primary Education, Department of Education, Govt. of Bihar, Patna.
3. The Director, Primary Education, Department of Education, Govt. of Bihar, Patna.
4. The District Magistrate, Jamui.
5. The District Education Officer, Jamui.
6. The District Programme Officer Establishment, Department of Education, Jamui.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Lalan Kumar  
For the Respondent/s : Smt. Binita Singh-Sc28

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

7      13-08-2024                      1. The petitioner has filed the present writ application for quashing the order of termination, dated 12.11.2016, by which the petitioner's services were terminated on the ground that the petitioner obtained B.Ed. Degree from an institute which was not recognized.

2. As per the case of the petitioner, he was appointed on the post of Assistant Teacher on 06.02.2012 pursuant to the order of the Hon'ble Supreme Court against the 34540 vacancies of trained teachers. The recommendation of Hon'ble Mr. Justice S.K. Chattopadhyay (Retired) Committee was



accepted by the Hon'ble Supreme Court for appointment. The Division Bench of this Court in L.P.A. No. 1254 of 2016 disposed of on 28.08.2023 has held that teachers appointed from the list of 34540 candidates cannot be disturbed/terminated on the ground of qualification/certificate not having been properly verified unless otherwise permitted by the Hon'ble Supreme Court. Paragraph 16 of the order dated 28.08.2023 is as follows:-

*16. We are of the definite opinion that in the present case where all the party-respondents were appointed as per the directions of the Hon'ble Supreme Court, under the supervision of Justice Chattopadhyay, cannot be terminated on grounds of qualifications not having been properly verified; unless otherwise permitted by the Hon'ble Supreme Court. The party respondents were appointed after their eligibility being settled by Justice Chattopadhyay, appointed by the Hon'ble Supreme Court, to oversee the selection and appointment of teachers to the vacant posts, identified as available, as per the undertaking made by the State before the Hon'ble Supreme Court. Though the verification of credentials and qualifications of the candidates were*



*directed to be done, there could be no such verification at this late stage. As noticed by the learned Single Judge in the impugned judgment the State ought to have been more vigilant when the appointments were carried out.*

3. In identical matters disposed of by this Court bearing C.W.J.C. No. 24355 of 2018 and analogous cases including C.W.J.C. No. 4770 of 2016 while quashing the impugned order of termination, this Court directed for payment of consequential monetary benefits to the petitioner.

4. An I.A., bearing I.A. No 01 of 2024, has been filed by the petitioner for amendment of the prayer to the extent that the respondent/authorities, in view of the judicial pronouncements of this Court, in similar matter *vide* Memo No. 1251, dated 06.07.2024, has withdrawn the termination letter dated 12.11.2016.

5. Taking into consideration the nature of prayer, I.A. No. 01 of 2024 is allowed. Now the petitioner has been superannuated with effect from 31.01.2019. Having considered the submission of the parties and the judicial pronouncements of this Court, in my opinion, the petitioner is also entitled for consequential and monetary benefits with effect from the date of termination till his superannuation. Accordingly, the



respondents are directed to pay all consequential benefits to the petitioner in accordance with law within a period of three months from the date of receipt/production of a copy of this order.

(Anil Kumar Sinha, J)

HarshPandey/-

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