

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1314 of 2020

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Sabrun Nisa W/o Rozwanurrahman D/o late Nabi Hassan, R/o Village-
Pakdideoraj, P.O. Bargane, P.S. Ram Nagar, District- West Champaran.
... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Govt. of Bihar, Patna.
 2. The Director, Primary Education, Govt. of Bihar, Patna.
 3. The District Education Officer, West Champaran.
 4. The Chairman, Bihar Staff Selection Commission, Patna.
 5. The Secretary, Bihar Staff Selection Commission, Patna.
- Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Md. Harun Quareshi, Adv.
For BSSC	:	Mr. Gyan Shankar, Adv.
For the Respondent/s	:	Mr.Pramod Kumar Singh, AC to SC-16

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 23-04-2024 Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. By the present writ petition, the petitioner seeks a
direction upon the respondents to consider her objection and
include her name in the panel in pursuance of Advertisement
No. 210 of 2010 according to merit for the post of Urdu Teacher
and make the appointment of the petitioner on the post of Urdu
Teacher.

3. It is, inter alia, submitted on behalf of the petitioner
that in pursuance of the order of Hon'ble Supreme Court the
State Government issued notification no. 730 dated 08.06.2010
by which Bihar Special Primary Teacher Appointment Rules,



2010 was notified under Rule 6 of this Special Primary Teacher Appointment Rules it was provided that total 34540 posts of primary teachers shall be advertised for appointment out of which 12862 posts shall be of Urdu Teachers and rest 21678 posts shall be of general teachers. It was further provided that from amongst general posts 5% of posts shall be filled up from physical education teachers. It is further submitted that when the process of appointment initiated and the petitioner could not be appointed then the petitioner made inquiry and came to know that against her name, duplicate was mentioned in remarks section in seniority list because petitioner had applied two forms as such she could not be appointed. Lastly, the petitioner moved this Court by filing C.W.J.C. No. 1773 of 2013 and this Court vide order dated 15.01.2014 disposed of the writ petition in the light of the order passed in C.W.J.C. No. 17899 of 2012. Thereafter, the petitioner filed her representation before the Bihar Staff Selection Commission but without success after moving from pillar to post when the grievance of the petitioner was not redressed, she filed the present writ petition.

4. A counter affidavit on behalf of the respondent nos. 4 and 5 is on record. In the counter affidavit, it is, inter alia, stated that the petitioner has also applied pursuance to the



Advertisement No. 210 of 2010 for the post of Urdu Teacher vide ID No. OP2010064696, but she had not supplied the requisite documents i.e. Residential Certificate which was required as per Clause 6(1) of the advertisement, which is apparent from the form submitted by the petitioner on 09.07.2010. It is further stated in the counter affidavit that the required document residential certificate at the time of submission of the form was required under the advertisement, therefore, the case of the petitioner was not considered by the Commission.

5. In view of the aforesaid, I find that this writ petition has no merit and is dismissed, accordingly.

(Anjani Kumar Sharan, J)

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