

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7497 of 2021

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Santosh Kumar Tiwari S/o- Late Narvadeshwar Tiwary R/o- Vill.- Chhotka
Sagra, P.S.- Kudra, P.O.- Katheh, District- Kaimur, Postal Address- R/o-
Bhagwanpur, P.s.- Bhagwanpur Varanashi (U.P.) Pin code- 221005.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Education Department,
Government of Bihar, Patna.
2. The Directorate of National Institute of Open Schooling A-24-25,
Institutional area sector-62 Noida, Pincode- 201308 (U.P.)
3. National Institute of Open Schooling Through its director Lalit Bhawan,
Bailey Road, Patna.
4. The Regional Director National Institute of Open Schooling, Lalit Bhawan,
Bailey Road, Patna.
5. The District Education Officer Kaimur (Bhabhua).
6. Block Education Officer Durgawati, Kaimur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Mithilesh Kumar Upadhyay, Advocate Mr. Raju Prasad, Advocate
For the State	:	Mr. Kumar Kamal Nayan, AC to SC-28

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 08-07-2025 Heard Mr. Mithilesh Kumar Upadhyay, learned
counsel appearing on behalf of the petitioner and Mr. Kumar
Kamal Nayan, learned AC to SC-28 for the State.

2. Learned counsel appearing on behalf of the
petitioner submits that the present writ petition was filed during
the 'Covid-19' Pandemic period and certain vital facts have not



been brought on record, however, he finds it appropriate to advise the petitioner, who was appointed on compassionate ground, to file detailed representation before the Director, Primary Education for consideration of his grievance as prayed for in the present writ petition.

3. Considering the aforesaid submission, the petitioner, if so advised, may file a detailed representation before the Director, Primary Education, giving details regarding his service particulars like the date of appointment, educational qualification, the applicable rule, which was prevalent at the time of death of his father and the date, on which, he was sent for training.

4. The Director, Primary Education must follow several government resolutions and instructions in respect of appointment on compassionate ground in those cases, in which the deceased employee was teacher and the prevalent rule at the relevant time for appointment of teacher was Bihar Panchayat Elementary Teacher (Employment and service condition) Rule, 2012 and dispose of the representation filed on behalf of the petitioner by passing a reasoned order, preferably well within a period of six weeks from the date of passing of this order because record reveals that the petitioner is aggrieved on



account of non-payment of salary even though he possess all the requisite qualifications.

5. With aforesaid observation/direction, the present writ petition stands disposed of.

(Purnendu Singh, J)

Niraj/-

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