

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6572 of 2021

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Sunita Kumari Daughter of Sri Lakshman Prasad Sinha W/o Ravindra Kumar
Chaodhary, resdient of village- Baghari, P.s.- sursand, District- Sitamarhi
... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Department of Education, Government of Bihar, Patna
3. The Director, Department Primary Education, Government of Bihar, Patna
4. The State Appellate Authority, Niyojan Bhawan, Bailey Road, Patna
5. The District Appellate Authority, Sitamarhi
6. The District Magistrate, Sitamarhi
7. The District Education Officer, Sitamarhi
8. The District Programme Officer (Establishment) Sitamarhi
9. The Block Development Officer cum Secretary, Block Teachers Appointment Unit, Bathnaha, District- Sitamarhi
10. The Block Education Officer, Bathnaha under the District of Sitamarhi
11. The Headmaster, Middle school Panth Pakar, Block Bathnaha, District- Sitamarhi

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the Respondent/s : Mr. Lalit Kishore, (AG)

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

7 17-04-2025 Heard Mr. Ranjeet Kumar Singh, learned counsel

 appearing on behalf of the petitioner and Mr. Lalit Kishore,

 learned AG for the State.

2. The petitioner in paragraph no. 1 of the present writ
petition has sought, *inter alia*, the following relief(s), which is
reproduced hereinafter:-

*“(i) For issuance of any
appropriate writ or writs, rule or direction
especially in the nature of certiorari, quashing
the Memo No. 24 dated 30-11-2012 issued under*



the signature of Block Development Officer, Bathnaha whereby and where under employment as Block Teacher of the petitioner has been cancelled only on the ground that petitioner has passed her Teachers Training Examination from Sister Nivedita College, Kolkata.

(ii) For issuance of any appropriate writ of writs, rule or direction especially in the nature of certiorari quashing the order dated 05.10.2015 passed in case No. 18/2014 passed by the learned presiding officer District Appellant Authority, Sitamarhi, whereby and where under appeal preferred by the petitioner has been dismissed.

(iii) For issuance of any appropriate writ or writs rule or direction especially in the nature of certiorari quashing the Memo No. 07/Head Office 1-21/2020 dated 15-1-2021, issued under the signature of director, Primary Education, Government of Bihar, Patna whereby and where under appeal preferred by the petitioner in the light of Appeal No. 717/2018 issued by the State Appellate Authority has been rejected without considering the facts and circumstances of the case.

(iv) For issuance of any appropriate writ or writs, rule or direction, especially in the nature of mandamus directing the respondent to reinstate the petitioner in her service with full back wages and continuity in service on the ground that the Sister Nivedita College Kolkata from where the petitioner has passed her Teachers Training Examination in the session 1989-90 is not in the list of derecognised institution issued by the Government of Bihar in memo no. 998 dated 05-10-2010 as well as on the ground that the similarly situated other.

(iv) Whether, the impugned action challenged in the present writ application are any way sustainable in the eye of law?

(v) Whether, the respondent authorities have taken the law in their hands and given colourable exercise of their power by ignoring the decisions passed by this Hon'ble Court in similar circumstances by which the writ petition of other similarly situated petitioners have been allowed and they are in their service till the date?

(vi) Whether, the respondents authorities have violated the settled principles of natural justice?

(vii) Whether, the impugned order



under challenged in the present writ application have any legs to stand upon in the light of several decisions passed by this Hon'ble Court especially in the case of Kundan Kumar Singh and another passed in CWJC No. 199/2010 and its analogous cases in which the Hon'ble Court has fixed the cut-off date i.e. 17.08.1995 and the case of petitioner fully covered because she has passed much earlier from the cut-off date i.e. 17.08.1995?

(viii) Whether the respondent authorities have adopted pick and choose policy by keeping the service continue on the basis of same Teachers Training Degree where as the other teachers are in still their job and the petitioner being well qualified lady has been terminated from her post?

(ix) Whether the respondent authorities have knowingly compelled the petitioner to knock the door of temple of justice so that her age of service may be expire?"

3. In view of the information contained in para-7 of the counter affidavit filed on behalf of the respondent no.8, the teachers training examination certificate issued by the Sister Nivedita College, Calcutta, which is an unrecognized institution, the termination of the petitioner, by the competent authority, after having obtained information from the Principal Secretary, Department of Education, vide letter no.437 dated 22.04.2011, cannot be interfered.

3. Accordingly, the present writ petition stands dismissed.

(Purnendu Singh, J)

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