

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3315 of 2025

Pratibha Kumari Daughter of Ram Sewak Jha Resident of Village-Udaipur,
P.O - Akhtiarpur, P.S.-Sarai Ranjan, District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
3. The Principal Secretary, Department of General Administration, Government of Bihar, Patna.
4. The Director (Secondary Education), Education Department, Government of Bihar, New Secretariat, Vikas Bhawan, Bailey Road, Patna.
5. The Secretary, SC/ST Welfare Department, Government of Bihar, Patna.
6. The Bihar Public Service Commission, through its Chairman, 15, Jawaharlal Nehru Marg, Bailey Road, Patna.
7. The Chairman, Bihar Public Service Commission, 15, Jawaharlal Nehru Marg, Bailey Road, Patna.
8. The Secretary, Bihar Public Service Commission, 15, Jawaharlal Nehru Marg, Bailey Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Nityanand Mishra, Advocate Mr. Abhishek Mishra, Advocate Mr. Alok Abhinav, Advocate
For the State	:	Mr. Raghwanand, GA 11 Mr. Prabhat Kumar, AC to GA 11
For the BPSC	:	Mr. Sanjay Pandey, Advocate Mr. Nishant Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 03-03-2025 Heard Mr. Nityanand Mishra along with Mr. Abhishek Mishra and Mr. Alok Abhinav, learned counsels appearing on behalf of the petitioner; Mr. Raghwanand, learned GA 11 along with Mr. Prabhat Kumar, learned AC to GA 11 for the State and Mr. Sanjay Pandey along with Mr. Nishant Kumar Jha, learned



counsels for the BPSC.

2. Petitioner has *inter alia* prayed for following reliefs in the paragraphs No.1 of the writ petition:-

“(i) For issuance of a writ(s) in the nature of mandamus directing/commanding the respondents/authorities concerned to give/grant 5 marks per year or maximum 25 marks weightage for work experience, at the time of preparation of final merit list as well as selection to the petitioner on the post of "Head Master" under the Advertisement No.26/2024 dated 01.03.2024 (Annexure-P/5) published by the BPSC, as the petitioner had appointed and served as 'Guest Teacher' about 6 (six) years and also qualified in the 'Head Master Written (objective) Competitive Examination' through the aforesaid Advertisement.

ii) For further directing/commanding the respondent concerned to give preference and to treat the petitioner for work experience of Guest Teacher like as contractual teacher in respect to appointment to the post of Head Master in Higher Secondary Schools in Department of Education and SC/ST Welfare Department, State of Bihar, through the Advertisement No.26/2024 dated 01.03.2024 published by BPSC, in view of the order dated 29.05.2024 passed by the Hon'ble High Court in C.W.J.C. No. 2270/2024 (Sandeep Kumar Jha and Others).

(iii) For further directing/commanding the respondents/authorities concerned to give/grant weightage for work experience to the petitioner under the Advertisement No.26/2024 dated 01.03.2024 published by the "BPSC" as matter of parity, like as an Advertisement No. 30/2024 dated 14.03.2024(Annexure-P/11) in which it has specifically mentioned for satisfactory work experience as contract, in clause 5(C) of the said Advertisement.

(iv) For further directing to the respondent concerned to grant other consequential benefits for which the petitioner is entitled to in the facts and circumstances of the case.

(v) For any other relief/reliefs for which the petitioner is entitled to in accordance with law.”

3. Learned counsel appearing on behalf of the petitioner informs that case of the petitioner is covered by order dated 04.02.2025 passed in CWJC No.8517 of 2020, in which



this Court has passed the order in light of the law laid down by the Apex Court in case of **Jaggo Vs. UOI and Ors. [SLP (C) No.5580 of 2024]** and case of the petitioner may be considered in light of the aforesaid judgment.

4. Considering the aforesaid submissions made on behalf of the petitioner, the petitioner first is required to be given opportunity of hearing to place her case. Since the petitioner has already filed application before the authority concerned for redressal of her grievance, the Additional Chief Secondary, Education Department, Government of Bihar is directed consider the grievance of the petitioner and take a conscious decision in accordance with law well within a period of six weeks from the date of receipt/production of a copy of this order.

5. The writ petition is, accordingly, disposed of.

(Purnendu Singh, J)

Sanjay/-

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