

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5689 of 2025

Rajeev Kumar Son of Late Prem Shankar Mehta, Resident of Village- Kulhariya Near Shiv Temple, P.S- Babubarhi, District- Madhubani. At present working as Headmaster of Janta Sanskrit Primary cum Middle School Kulharia of Babubarhi Block under the Madhubani district.

... .. Petitioner/s

Versus

1. The State of Bihar through its Additional Chief Secretary of Education Department of Govt. of Bihar.
2. The Special Secretary cum Appellate Authority of Education Department of Govt. of Bihar, Patna.
3. The Bihar Sanskrit Shiksha Board, Patna through its Secretary.
4. The Chairman cum Administrator of Bihar Sanskrit Shiksha Board, Patna.
5. The Secretary of Bihar Sanskrit Shiksha Board, Patna.
6. The District Education Officer, of Madhubani district.
7. The Managing Committee of Janta Sanskrit Primary cum Middle School, Rampur Shiva of Andharatharhi Block under the Madhubani district through its Secretary/President.
8. Rajendra Rai Son of late Awad Rai, Resident of Village- Shiva, P.S.- Andharathari, District- Madhubani, the then in-charge headmaster of Janta Sanskrit Primary cum Middle School, Rampur Shiva of Andharathari block under the Madhubani district.
9. Sri Niranjana Kumar Singh Son of Kusheshwar Singh, Resident of Village- Mainapatti, P.S- Babubarhi, District- Madhubani. At present acting as an Assistant teacher of Shri Laxmi Narayan Tripti Narayan Sanskrit High School Rakhwari of the Andharatharhi Block under Madhubani district.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Jha, Advocate
For the Respondent/s	:	Mr. Dhurjati Kumar Prasad, GP-14
For the Board	:	Mr. S. S. Sundaram, Advocate Mr. Ankit, Advocate

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

2 09-04-2025 Heard learned counsel for the parties.

2. This writ petitioner has been filed challenging the
order dated 11.02.2025 passed by the respondent No. 2/ the

Special Secretary cum Appellate Authority of Education
Department of Government of Bihar, Patna in Appeal No.
32/2024, whereby the challenge made to the appointment of
respondent No. 9 as Headmaster In-charge of Janta Sanskrit
Primary cum Middle School, Rampur Shiva of Andharatharhi
block under Madhubani by an order dated 12.03.2024 issued by
the Secretary, Bihar Sanskrit Shiksha Board, Patna vide Memo
No. 1713/Patna has been dismissed.

3. The aforesaid appointment order of the respondent
No. 9 as Headmaster In-charge of the Janta Sanskrit Primary
cum Middle School, Rampur Shiva of Andharatharhi block
under Madhubani, is stated to be a stopgap arrangement.

4. It has been submitted at the Bar that the post of
Headmaster In-charge of Janta Sanskrit Primary cum Middle
School, is filled up under the Bihar State Non Government
Recognised Sanskrit School (upto Madhyama Standard) Teacher
Service Conditions Rules, 2015.

5. Rule-6 of the aforesaid rules is the provision which
provides for process of appointment/recruitment wherein, in
clause-2 thereof it has been provided that the post of
Headmaster shall be filled up from amongst the qualified
present teachers by giving promotion and in case of non

availability of qualified teacher for promotion the post of Headmaster will be filled up by direct recruitment.

6. In view of the existence of a statutory rule, namely, Bihar State Non Government Recognised Sanskrit School (upto Madhyama Standard) Teacher Service Conditions Rules, 2015 for filling up of the post of Headmaster of Janta Sanskrit Primary cum Middle School, Rampur Shiva of Andharatharhi block under Madhubani, this writ petition is hereby disposed off at this stage itself with a direction to the respondent authorities to fill up the post of Headmaster of Janta Sanskrit Primary cum Middle School, Rampur Shiva of Andharatharhi block under Madhubani on regular basis, in accordance with the provisions of Bihar State Non Government Recognised Sanskrit School (upto Madhyama Standard) Teacher Service Conditions Rules, 2015, within a period of three months from today.

(Nani Tagia, J)

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