

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10322 of 2024

1. Lalan Mishra S/o Jagannath Mishra Resident of Village-Bangra, Baikunthpur, Bangra, Rajapati, District-Gopalganj.
2. Brij Kumar Pandey S/o Shankar Pandey Resident of Village-Ward No. 15, Jangaliya, Gopalganj, District-Gopalganj.
3. Vijay Kumar Singh S/o Late Ramkinkar Singh Resident of Village-Manikpur, Gopalganj, District-Gopalganj.
4. Binod Prasad Yadav S/o Bidya Prasad Resident of Village-Konhwa, Pasarma, Gopalganj, District-Gopalganj.
5. Sudhanshu Prasad S/o Munib Prasad Resident of Village-Purani Bazar, Garhmanjha, District-Gopalganj.
6. Jamshed Ali S/o Late Jahangir Hussain Resident of Village-Sidhwaliya, Baghibazar, District- Gopalganj.
7. Dinesh Prasad Varma S/o Ramakant Varma Resident of Village-Makundiya, Basdila Khas, Gopalganj, District-Gopalganj.
8. Naseem Ahmad S/o Mohammad Suleman Resident of Village-Fataha, P.S.-Gopalganj, District- Gopalganj.
9. Mustaque Ahmad S/o Hakim Miyan Resident of Village-Ward No.15, Jangaliya, Gopalganj, District-Gopalganj.
10. Radhika Sharan Mishra S/o Late Raghuvir Mishra Resident of Village-Bhathawa Bazar, Bhatwa, Gopalganj, District- Gopalganj.
11. Sharda Kumar Ram S/o Kailash Pati Ram Resident of Village-Bathuaa Bazaar, Bhagwanpur District-Gopalganj.
12. Ali Raja S/o Gul Mohammad Resident of Village-Sareya Akhteyar, Postr.-Dharma Parsa, Sareya, District-Gopalganj.
13. Rajesh Kumar S/o Late Bishwanath Sah Resident of Village-Sidhwaliya, Baghibazar, District-Gopalganj.
14. Om Prakash Prasad S/o Kasha Nath Prasad Resident of Village-Chauraon, P.S.-Khahuri, Districft-Gopalganj.
15. Khadim Hussain Ansari S/o Molazim Hussain Resident of Village-Ward No.1, Thana Road, Mirganj, Uchkagaon, Gopalganj, District-Gopalganj.
16. Shambhu Nath Verma S/o Late Mukti Nath Resident of Village-Pagara, P.O.-Saha Digdi, District-Gopalganj.
17. Awdhesh Mishra S/o late Ramnaresh Misra Resident of Village-Dumar Narendra, Khalwagonw, Gopalganj, District-Gopalganj.
18. Satyendra Chaudhari S/o Raja Ram Resident of Village-Bhavan, Makaan 41, Sonavarsa, Alipur, District-Gopalganj.
19. Ganesh Prasad S/o Ujagir Bhagar Resident of Village-Sher, Gopalganj, District-Gopalganj.
20. Devendra Kumar Singh S/o Sukhdev Narayan Singh Resident of Village-Bharkuiyan, Ward No. 16, Gopalganj, District-Gopalganj.



21. Om Prakash Prasad C/o Kaushalya Devi Resident of Village-Chauraw Post, Khajuri, Sasamusa, Gopalganj, District-Gopalganj.
22. Akhileshwar Mishir S/o Jagdish Mishir Resident of Village-Shivasthan, P.S.-Thawe, Gopalganj, District-Gopalganj.
23. Shambhu Prasad S/o Teka Prasad Resident of Village-Hathikhal, P.S.-Phulwariya, Gopalganj, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar.
2. The State Project Director, Bihar Education Project Council, Patna.
3. The Director, Research and Training, Education Department, Government of Bihar.
4. The Director, SCERT, Education Department, Government of Bihar.
5. The Director, Secondary Education, Government of Bihar.
6. The Director, Primary Education, Government of Bihar.
7. The Regional Education, Deputy Director, Saran, Chhapra.
8. The District Magistrate, Gopalganj.
9. The District Education Officer, Gopalganj.
10. The District Programme Officer, (EE and SSA), Gopalganj.
11. The District Program Officer, Primary Education and Sarv Siksha Abhiyan
12. The Block Education Officer, Block-Gopalganj, District-Gopalganj.
13. The Block Education Officer, Block-Baikunthpur, District-Gopalganj.
14. The Block Education Officer, Block-Thawe, District-Gopalganj.
15. The Block Education Officer, Block-Barauli, District-Gopalganj.
16. The Block Education Officer, Block-Bhore, District-Gopalganj.
17. The Block Education Officer, Block-Phulwariya, District-Gopalganj
18. The Block Education Officer, Block-Manjha, District-Gopalganj.
19. The Block Education Officer, Block-Panchdeori, District-Gopalganj
20. The Block Education Officer, Block Sidhawaliya, District-Gopalganj.
21. The BlockEducation Officer, Block-Thawe, District-Gopalganj.
22. The Block Education Officer, Block-Vijaypur, District-Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Srivastava, Advocate Mr. Shashwat Srivastava, Advocate
For the Respondent/s	:	Mr. Manoj Kumar Ambastha, SC- 26 Mr. Subodh Kumar, AC to SC-26
For the BEPC	:	Mr. Girijish Kumar, Advocate Mr. Akash Anand, Advocate



CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 22-09-2025

Heard the parties.

2. The petitioners before this Court are the retired teachers, on being found eligible, applied for the post of Block Resources Person / Prakhanda Sadhan Sevi. Despite having requisite qualification and duly appointed and had been pursuing their duties, their services have been dispensed with vide Memo No. 1080 dated 29.05.2024 (Ananexure-P/5), issued by the respondent no.9 on the ground that they did not qualify in the Computer proficiency test.

3. Learned Advocate for the petitioners submitted that this could not be a ground to remove the petitioners, as this ground had never been the part of the advertisement or the appointment letter.

4. Learned Advocate for the respondent Bihar Education Project Council refuted the contention of the petitioners and submitted that identical issue has come up for consideration before the learned coordinate Bench of this Court in C.W.J.C. No. 11361 of 2025 wherein the Court did not interfere in the matter. To bolster the aforesaid contention, reliance has also been placed on various decisions of the learned



Single Judge as well as Division Bench of this Court, reference of which has been mentioned in the counter affidavit.

5. Facing such objection, learned Advocate for the petitioners seeks liberty to approach before the respondent no.2 by filing a detailed representation.

6. In view thereof, the present writ petition stands disposed of with a liberty to the petitioners to approach before respondent no.2 by filing a detailed representation. In case, such representation is filed by the petitioners, the same shall be considered and disposed of in accordance with law, within a reasonable time, but in any case, not beyond a period of three months.

7. With the aforesaid observation, the present writ petition stands disposed of.

(Harish Kumar, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.09.2025
Transmission Date	NA

