

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.550 of 2021

In
Civil Writ Jurisdiction Case No.7902 of 2020

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1. The State of Bihar through Principal Secretary, Education Department, Govt. of Bihar, Patna.
 2. The Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
 3. The Principal Secretary, General Administration Department, Govt. of Bihar, Patna
 4. The Director, Research and Training, Education Department, Govt. of Bihar, Patna.
 5. Bihar Public Service Commission, Patna through its Chairman, 15, Jawaharlal Nehru Marg, Patna.
 6. The Secretary, Bihar Public Service Commission, Patna
 7. The Joint Secretary-Cum-Controller of Examination, Bihar Public Service Commission, Patna

... .. Appellant/s

Versus

1. Sanjay Kumar S/o Late Gangapati Mallick R/o Mohalla-Matiya Dih Mahawir Nagar, P.O. Motihari, P.S. Chhatauni, District-East Champaran 845401.
2. Arvind Kumar Mishra Son of Abhiram Mishra R/o Mohalla-Azad Nagar Akauna Near Baudhi Mandir, P.O. P.S.-Motihari, District-East Champaran 845401.
3. Rajesh Kumar Son of Yogendra Kumar C/o Janki Bhawan, Teacher Colony, Bus-Stand, P.O. and P.S.-Rajgir, District-Nalanda-803116.
4. Dinbandhu, Son of Surydeo Sah At P.O.-Yogiwana Bazar, P.S. Barhnaha, District-Sitamarhi-843322.
5. Dinesh Kumar Son of Suryadeo Sah At P.O.-Yogiwana Bazar, P.S. Bathnaha, District-Sitamarhi-843322.
6. Anil Kumar Gupta Son of Radheshyam Prasad At -Purani Bazar, Ward No.11, P.O. P.S. Sitamarhi, District-Sitamarhi-843302.
7. Janki Raman Son of Sidheshwar Sah R/o Village-Gorigama, P.O. and P.S. Runni Saidpur, District-Sitamarhi-843302.
8. Shyam Kishore Poddar Son of Late Ayodhya Poddar R/o Navratan Hata, Near High School Teacher Association, At P.O. and P.S.-Purnia- District Purnia-854301.
9. Dr. Md. Shahnawaz Rizvi Son of Md. Azizul Hakim At -Rahmatbag, P.O. Nathnagar, P.S. Nathnagar, District-Bhagalpur-812006.
10. Dr. Isham Lal Karharia Son of Upendra Prasad Singh At P.O. and P.S.-Ishak Chak, Near Gumti No.12, District-Bhagalpur-812001.
11. Rajdeo Kumar Son of Late Keshav Kumar Singh At-R.K. Nagar, FM



Campus, Zero Mile, Bahadurpur, District-Bhagalpur.

12. Dr. Rakesh Kumar Parimal Son of Late Kishun Prasad Singh At and P.O.-Pararia, P.S. Shambhuganj District-Banka-803211.
13. Amresh Kumar Son of Late Murlidhar Thakur R/o Village-Eastern Tola, Bangawn, P.O. and P.S.-Bangawn District-Saharsa.
14. Ravi Shankar Prasad Son of Bhagwat Prasad R/o Mohalla-Sadar Chowk, P.O. and P.S.-Dehri on Sone, District-Rohtas-821307
15. Ram Sagar Yadav Son of Sri Amirchand Chaudhary Resident of Flat no.202, Narayanshree Apartment, Sheikhpura, Police Station Shashtrinagar, District Patna.
16. Ganesh Kumar Jha Son of Sri Ramakant Jha, R/o Village Tatuuar East Tola, P.S. Manigachhi Tatuuar, District-Darbhanga.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.P.K.Shahi, AG
Mr.Apurva (A.C. To G.A.12)
For the Respondent/s : Mr.Sanjeev Kumar Singh, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

13 23-09-2025 The State-appellant has assailed the order of learned

Single dated 28.06.2021 passed in CWJC No. 7902 of 2020

(*Sanjay Kumar & Ors. vs. State of Bihar & Ors.*).

2. Core issue involved in the present *lis* is whether respondents are entitled to count service rendered in the District Teachers Training Institute or Organization for the purpose of certain service benefits. Admittedly, there is no policy or statutory rules which provides for counting service rendered by teachers in the District Teachers Training Institute or Organization. The same has not been appreciated by the learned



Single Judge. So also, the contesting respondents herein, in the absence of vested right to claim any service conditions, respondents have no right to claim any benefits.

3. In the light of these facts and circumstances, read with the Co-ordinate Bench decision in LPA No. 685 of 2021 dated 08.07.2024 (*Arun Kumar & Ors. vs. State of Bihar & Ors.*) which is aptly applicable to the case in hand.

4. Accordingly, the State appellants have made out a case so as to interfere with the order of learned Single Judge dated 28.06.2021, and it is set aside. Resultantly, CWJC No. 7902 of 2020 is rejected and the present LPA No. 550 of 2021 is allowed.

5. Pending Interlocutory Application(s), if any, stand disposed of.

(P. B. Bajanthri, CJ)

(Alok Kumar Sinha, J)

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