

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14782 of 2025

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Nepal Chandra Prodhan, Son of Manik Chandra Prodhan, Resident of Village-
Mera, P.O- Katwa, P.S- Katwa, District- Purba Bardhaman (W.B) Pin-
713150.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Social Welfare Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The State Project Director, Bihar Education Project Council, Beltron Bhawan, Shastrinagar, Patna-23.
4. The Director, Primary Education, Education Department, Government of Bihar, Patna.
5. The District Magistrate, East Champaran, Motihari.
6. The District Education Officer, East Champaran, Motihari.
7. The District Programme Officer Elementary and Integrated Education, East Champaran, Ambedkar Bhawan, Motihari.
8. The Block Education Officer cum Coordinator Block Resource Centre, Block Chiraiya, Motihari

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Adv. Mr. Gajendra Kumar, Adv.
For the Respondent/s	:	Mr. Anirban Kundu, SC-24

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 09-09-2025 Heard the parties.

2. The petitioner has invoked the extraordinary writ jurisdiction of this Court, seeking a direction upon the concerned respondent(s) to accept his joining on the post of Resource Teacher at Chiraiya Block, in pursuant to the letter dated 12.06.2025 and followed by reminder on 29.07.2025 after recovery from prolonged illness.



3. The brief facts, leading to filing of the writ petition, are that the petitioner after obtaining the B.Ed and D.Ed Special Degree from the Education Centre established for imparting education for physically challenged person, got himself registered with Rehabilitation Council of India. It is the admitted position that the petitioner has obtained registration certificate in this regard, which is valid upto 2030. In the meanwhile, the State of Bihar formulated a policy for appointment of Resource Teacher and, on being eligible, the petitioner was duly appointed as Resource Teacher vide Memo No.3/2010-11 dated 31.01.2011.

4. Learned Advocate for the petitioner submitted that the petitioner is a handicapped person. It is an admitted position that his appointment was contractual in nature and he had been allowed to continue till May, 2023 and was extended admissible remuneration/honorarium. However, all of a sudden, the petitioner became seriously ill and he was advised to take complete bed rest; medical certificate has also been placed on record. After recovery from the illness, the petitioner got his CRC Certificate renewed on 25.04.2025 and approached the authorities concerned for acceptance of his joining, but the same has not been done; hence, the present writ petition.



5. Mr. Anirban Kundu, learned Advocate for the State submitted that only after giving application for two days leave, the petitioner had left his duty and did not respond despite the repeated show-cause notices dated 03.07.2023 and 11.07.2023. On 14.08.2023, again notice was issued, wherein it was made clear that in case of non-submission of any explanation, the authority shall proceed for cancellation of the agreement.

6. At this juncture, learned Advocate for the petitioner interjected in the matter and submitted that now the identically situated persons, who have been discharging duties on contractual basis, have been allowed to discharge their duties till 60 years, which can be extended upto 65 years. Thus, the nature of job, which was earlier on contractual, has also been given a colour of regular service.

7. Having considered the submissions set forth by the learned Advocate for the respective parties, this Court, instead of directing the State respondent to file counter affidavit, deems it fit and proper to dispose off the writ petition with a liberty to the petitioner to approach before respondent no.7, by filing a detailed representation along with medical prescription(s) and the paper, showing he was under treatment during the interregnum period; besides other documents in support of his



claim for acceptance of his joining, preferably within a period of four weeks’ from today.

8. In case, such a representation is filed, the same shall be considered and disposed off by a reasoned and speaking order, preferably within a further period of eight weeks, in accordance with law.

9. The writ petition stands disposed off.

(Harish Kumar, J)

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