

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.290 of 2022

In
Letters Patent Appeal No.537 of 2019

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Arun Singh Son of Late Hari Singh, An Assistant Teacher in Chaudhary Ram Prasad Sharma Project Girls High School, Pandarak, Post and P.S.- Pandarak, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, New Secretariat, Vikas Bhawan, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, New Secretariat, Vikas Bhawan, Patna.
3. The Director (Secondary Education) Department of Education, Bihar Secondary Education Office, Buddha Marg, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Sharma Ms. Arpana Kumari Mr. Uma Kant Mishra
For the Opposite Party/s :		Smt. Shilpa Singh, GA 12
For State	:	Mr. Apurva Kumar

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

7 22-08-2025 The present civil review application is filed to recall the order dated 20.09.2022 passed in LPA No. 537 of 2019. The review petitioner has presented this review petition in the light of our order dated 20.09.2022, in particularly paragraph No. 10 which reads as under :

“10. The State Government has evolved a policy decision that such of those Assistant Teachers who were to be appointed or absorbed, they must fulfill the requisite qualification by the Trained



department. In the present case the respondent - Arun Singh who was stated to have been appointed as Assistant Teacher in the Geography subject and he is Untrained Teacher in the Geography subject. On the other hand, if he is Trained Teacher in the Physical Education post that does not means that he is entitled to be absorbed in the post of Assistant Teacher (Physical Education – Trained Teacher) unless and until the aforesaid post is sanctioned. The respondent could not apprise this Court that there is a sanctioned post of Assistant Teacher (Physical Education – Trained Teacher). On the other hand, the Director (Secondary Education), Department of Education, Secondary Education Office, Patna Mr. Manoj Kumar who is present in the Court pursuant to the earlier order has apprised this Court that there is no post of Assistant Teacher (Physical Education – Trained Teacher) as on 04.02.1989. These material information have not been taken note off or appreciated by the learned Single Judge.”

2. The review petitioner could not apprise this Court that there is sanctioned post of Assistant Teacher (Physical Education - Trained Teacher) as on 04.02.1989. On the other hand, it is contended that he was working as Assistant Teacher in Geography subject. In paragraph No. 10, itself we have taken note of that the review petitioner does not fulfill the qualification of trained teacher, on the other hand, he is untrained teacher, therefore, he is not eligible to hold the post of



Assistant Teacher in the Geography subject.

3. Accordingly, present civil review application stands dismissed.

(P. B. Bajanthri, J)

(Rajiv Roy, J)

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