IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.186 of 2023
In
Civil Writ Jurisdiction Case No.19422 of 2021

CNR No. BRHC010069572023

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Shabnam Khatoon W/o Hasim Ansari, R/o Vill- Panchamwa, P.O.- Bathua Bazar, P.S. and Block- Uchaka Ganw, District- Gopalganj, at present working as Panchayat Teacher at Government N.P.S. Lalu Nagar, Bharpartiya, Block- Phulwariya, Dist.- Gopalganj.

... ... Appellant/s

Versus

1. The Union of India through the Secretary, Human Resources Development Department, Govt. of India, New Delhi.
2. The Secretary Ministry of Human Resources, Govt. of India, Central Secretariat, New Delhi.
3. The Director (Evaluation) National Institute of Open Schooling, A-24-25, Institutional Area, Sector-62, Noida- 201308 (U.P.)
4. The National Institute of Open Schooling, through its Regional Director, Lalit Bhawan, Bailey Road, Patna.
5. The Regional Director National Institute of Open Schooling, Lalit Bhawan, Bailey Road, Patna.
6. The Additional Secretary-cum-Conducting Officer National Institute of Open Schooling (NIOS) Department of Education, Bihar, Patna.
7. The State of Bihar through the Principal Secretary Education Department, Govt. of Bihar, Patna.
8. The Principal Secretary Education Department, Govt. of Bihar, Patna.
9. The Director Primary Education, Govt. of Bihar, Patna.
10. The District Education Officer Gopalganj.
11. The District Programme Officer Establishment (Education), Gopalganj.
12. The Block Development Officer Fulwaria, Gopalganj.
13. The Block Education Officer Fulwaria, Gopalganj.
14. The Secretary Panchayat Employment Unit Gram Panchayat Raj Fulwaria, Block Fulwaria, Gopalganj.
15. The Mukhiya-cum-Chairman, the Panchayat Employment Unit Gram

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Panchayat Raj Fulwaria, Block Fulwaria, Gopalganj.

... ... Respondent/s

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Appearance :
For the Appellant/s : Mr. Shashi Bhushan Kumar, Adv
For the State : Mr. Dr. Maurya Vijay Chandra, AAG-2

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
and
HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

3 28-10-2026 The present appeal has been filed against the judgment dated 19.10.2022, passed in CWJC No.19422 of 2021 and other analogous cases.

2. At the outset, the learned counsel for the appellant fairly submits that the present appeal has been rendered infructuous during the interregnum period on account of passing of an order dated 28.07.2026 by the Hon'ble Apex Court in **SLP(C) No.25298 of 2023** (**Abdul Baqui Ansari and Ors vs. Union of India and Ors**) and other analogous cases inasmuch as such candidates who were in service on 31.03.2015, have been allowed time to acquire the D.El.ED qualification on or before 31.08.2028 and have been allowed to continue, so that they are given time to acquire the qualification on or before 31.08.2028, hence it is submitted that the present appeal be disposed of.

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3. Accordingly, we deem it fit and proper to dispose of the present appeal while taking note of the aforesaid submissions advanced by the learned counsel for the appellant.

(Mohit Kumar Shah, J)

(Sourendra Pandey, J)

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