

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5458 of 2022**

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1. Amit Kumar S/o Sri Lalan Prasad R/o Village- Bhaluhi Dayaram, P.O. and P.S.- Kateya, District- Gopalganj.
  2. Ram Bishwas Harijan S/o Late Jagdeo Harijan R/o Village, P.O. and P.S.- Kateya, District- Gopalganj.
  3. Babloo Ram S/o Shyamdeo Ram R/o Village, P.O. and P.S.- Kateya, District- Gopalganj.
  4. Ramesh Ram S/o Ramdeo Ram R/o Village- Dharhara Mela, P.O. and P.S.- Kateya, District- Gopalganj.
  5. Ram Tapsya Manjhi S/o Sheonarayan Manjhi R/o Village- Kateya, Panchayat Raj-Nagar Panchayat Kateya, P.O. and P.S.- Kateya, District- Gopalganj (Bihar).
  6. Pintu Kushwaha S/o Nathuni Ram R/o Village- Kotwa Khosh, P.O.- Rudalpur, P.S.- Kateya, Dist- Gopalganj (Bihar).
  7. Niraj Devi Wife of Dhrubdev Giri R/o Village- Bara Koirauli, P.O.- Bara Koirauli, P.S.- Hathuwa, District- Gopalganj (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, New Secretariat, Patna.
2. The Principal Secretary, Human Resources Development Department, Patna.
3. The Director, Primary Education, New Secretariate, Patna.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Raghwendra Sharan Pandey  
For the Respondent/s : Mr. Apurva Harsh, AC to GA 12

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 15    29-01-2026    1. Heard learned Counsel for the parties concerned.
2. The petitioners have filed the present writ application, challenging the order dated 09.11.2022, passed by the Additional Chief Secretary, Department of Education, Government of Bihar, whereby the claim of the petitioners for relaxation of age in case of appointment on



the post of Panchayat Teachers has been rejected.

3. The petitioners have claimed that they were appointed as Lok Shikshaks for 12 months on contractual basis in the year 2002 at par with Panchayat Shiksha Mitra and the period of their appointment was extended for further three years on yearly basis. However, by virtue of Bihar Panchayat Elementary Teachers (Employment and Service Conditions) Rule, 2006 (hereinafter referred to as 'the 2006 Rule'), the Shiksha Mitras were made Panchayat Shikshaks.
4. Learned Counsel for the petitioners submits that in the case of Lok Shikshaks, bearing CWJC No. 1109 of 2017, a co-ordinate Bench of this Court directed the respondent authorities, vide its order dated, 30.11.2017, to consider relaxing the age of the petitioners if the petitioners are otherwise eligible for appointment as Panchayat Shikshak considering the fact that they had worked under the scheme of the State Government. The appeal filed by the State against the order, dated 30.11.2017, passed in CWJC No. 1109 of 2017, having L.P.A. No. 637 of 2019, has been dismissed by the Division Bench.
5. Accordingly, the submission is that the petitioners may be



given one-time age relaxation in the appointment of Panchayat Shikshak.

6. On the other hand, learned Counsel for the State argued that vide resolution, dated 07.11.2002, the Department of Secondary and Adult Education decided to set up Lok Shikshak Centres as the responsibility of the community by arranging all resources by the community in the areas where there is no primary school within the periphery of one kilometre. The scheme of setting up of Lok Shikshak Centres was to encourage education to children by involving local community and the same was a voluntary scheme launched for such voluntary alternative education centre and the Lok Shikshaks were engaged as volunteers.
7. The rule relating to appointment of primary teachers has undergone a change and no panchayat teachers are being appointed and new rule has come, namely, the Bihar State School Teachers (Appointment, Transfer, Disciplinary Proceeding and Service Condition) Rules, 2023, for appointment of Teachers. As per the new rules, the appointment of teachers shall be made on regular basis through open competitive examination held by the Bihar Public Service Commission for the candidates who have



completed T.E.T.

- 8. As such, the claim of the petitioners based upon the judgment that one-time age relaxation be granted to the petitioners in the appointment of Panchayat Teachers at par with Shiksha Mitra, has now become infructuous.
- 9. Considering the submissions made by the parties and the fact that as per the new rules of 2023, no Panchayat Teachers are being appointed and the teachers are being appointment in all categories through the Bihar Public Service Commission.
- 10. Accordingly, the prayer of the petitioners for relaxation of their age in the appointment of Panchayat Teacher is devoid of any merit.
- 11. This writ application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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