

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5712 of 2025

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Pammi Kumari Daughter of Binod Kumar Resident of Village and Post-Kaila, Police Station- Nagar Nausa, District- Nalanda at Biharsharif.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Science, Technology and Technical Education Department, Government of Bihar, Patna.
3. The Director, Science, Technology and Technical Education Department, Government of Bihar, Patna.
4. The Special Executive Officer, Science, Technology and Technical Education Department, Government of Bihar, Patna.
5. The Joint Secretary, Science, Technology and Technical Education Department, Government of Bihar, Patna.
6. The Principal, Rajkiya Polytechnic, Siwan, Situated at Bawandih, Chainpur, District- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Singh, Advocate
For the Respondent/s	:	Mr. Government Pleader (22)
		Mr. Uday Prasad, AC to GP- 22

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 05-01-2026

Heard the parties.

2. The petitioner is aggrieved with the Office Order as contained in Memo No. 505 dated 13.12.2023 issued under the signature of respondent no.6 whereby the services of the petitioner came to be dispensed with as a Guest Teacher merely on the ground that regular appointments of Lecturers was made against two of the posts out of three.

3. Learned Advocate for the petitioner submitted



that the impugned order came to be passed without considering the fact that even after regular appointment of two Lecturers in Government Polytechnic College, Siwan, there is still one sanctioned and vacant post upon which the petitioner had been working since 09.04.2021. The appreciation of the work rendered by the petitioner is manifest from the certificate, duly issued by the Principal of the Government Polytechnic College, Siwan, the copy of which is marked as Annexure-5 to the writ petition. It is further contended that there is no confrontation with the legal position that the services of the petitioner can be dispensed with if regular selected candidates have been appointed in place of the persons, who had been working as a Contractual/Guest Lecturer. However, in the case at hand the facts are different and the one post is still vacant, hence the aforesaid principle would not be applicable.

4. Besides the aforesaid submissions, it is also urged that on being aggrieved, the petitioner has also filed a detailed representation before the Additional Chief Secretary-cum-Principal Secretary as well as Director, Science, Technology and Technical Education Department, Government of Bihar, Patna, which are still pending consideration. In the meanwhile, the Officer-on-Special Duty, Science, Technology



and Technical Education Department wrote a letter to the Principal, Government Polytechnic College, Siwan to take appropriate action in the light of the decision rendered by this Court in C.W.J.C. No. 15556 of 2024, which came to be disposed of on 21.10.2024, but till date no appropriate action has been taken.

5. Learned Advocate for the State submitted that till date there is no fresh advertisement for selection of Guest Lecturer in the said Department, moreover, after appointment of two regular Lecturers in the Government Polytechnic, Siwan, the petitioner's services as Guest Lecturer has been terminated w.e.f. 14.12.2023 and at present there is 'zero' vacancy for Guest Lecturer in the Electrical Engineering Department.

6. The aforesaid fact has been controverted by the learned Advocate for the petitioner by referring to the letter no. 1799 dated 27.07.2017 (Annexure-P/13) to the effect it decides that altogether five posts have been sanctioned for Lecturer in Electrical Engineering, out of which one post is still vacant.

7. Be that as it may, considering the submissions advanced by the learned Advocate for the parties and taking note of the fact that the petitioner has already approached before the concerned authority by filing a detailed representation, the



copies of which have also been placed on record as Annexures- 10 and 12 Series, this Court deems it fit and proper to direct the respondent no.2 to consider the representation of the petitioner and bring to its logical conclusion preferably within a period of eight weeks from the date of receipt/production of a copy of this order, keeping in mind with regard to the availability of the vacancy and the order passed in C.W.J.C. No. 15556 of 2024, in accordance with law.

8. The writ petition stands disposed of.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08.01.2026
Transmission Date	NA

