IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.521 of 2023
In
Civil Writ Jurisdiction Case No.3590 of 2021

CNR No. BRHC010295942023

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1. Rakesh Kumar Singh Son of Sri Krishna Bihari Singh Resident of Village- Ward No- 04, Jai Nagar Basti Rajputana Tola, P.S.- Jai Nagar, District- Madhubani.
2. Gausia Firdosh, Daughter of Saud Alam Ansari Resident of Village- Ajmer Nawadih, P.S.- Aurangabad, Distt.- Aurangabad.
3. Shiv Kumari, Wife of Shiv Nath Mandal Resident of Village- Dagarsam, P.O.- Kamchati, Distt.- Darbhanga.

... ... Appellant/s

Versus

1. Union of India through the Secretary, HRD, Govt. of India, New Delhi.
2. The Secretary, Human Resources Department, Govt. of India, New Delhi.
3. The National Institute of Open Schooling, through its Regional Director, Lalit Bhawan Bailey Road, Patna.
4. The Regional Director, NIOS, Lalit Bhawan Bailey Road, Patna.
5. The State of Bihar, through the Chief Secretary, Govt. of Bihar, Patna.
6. The Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
7. The Bihar School Examination Board, through Chairman, Patna.
8. The Chairman, Bihar School Examination Board, Patna.
9. The Director, Primary Education Govt. of Bihar, Patna.
10. The Director, State Council of Education Research Training Patna.
11. The Distt. Education Officer, Darbhanga.
12. The Distt. Program Officer (Estd.), Darbhanga.
13. The Distt. Education Officer, Madhubani.
14. The Distt. Programme Officer (Estd.) Madhubani.
15. The Distt. Education Officer, Vaishali.
16. The Distt. Programme Officer (Estd.) Vaishali.
17. The Distt. Education Officer, Muzaffarpur.
18. The Distt. Programme Officer (Estd.) Muzaffarpur.
19. The Distt. Education Officer, Gaya.
20. The Distt. Programme Officer (Estd.) Gaya.

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21. The Distt. Education Officer, Jamui.
22. The Distt. Programme Officer (Estd.) Jamui.
23. The Distt. Education Officer, Bhojpur.
24. The Distt. Programme Officer (Estd.) Bhojpur.
25. Rizwana Khatoon, D/o Md. Sadre Alam Resident of Village- Ward No.- 15 Badarbanna, P.S.- Bahera, District- Darbhanga.
26. Lalita Kumari, W/o Bijendra Prasad Resident of Village- Ward No.- 5, Pipra Tola, District- Madhubani.
27. Jyoti Kumari, W/o Uttim Lal Mahra Resident of Village- Ward No- 06, Selra, Silra, P.S.- Jai Nagar, District- Madhubani.
28. Munindra Prasad Prabhakar, S/o- Ramnath Yadav Resident of Village- Ward No.- 3, Korahiya Dih, tol Near Mobile Tower, P.S.- Jai Nagar, District- Madhubani.
29. Md. Irfanul Haque, S/o- Md. Ekramul Haque Resident of Village- Sakra Faidpur, P.O.- Dholi, Dist- Muzaffarpur.
30. Kiran Kumari, W/o Rajdev Yadav Resident of Village- Marhiya, Ward No.- 04, Via- Basopatti, Dist- Madhubani.
31. Veena Wala, W/o- Kaleshwar Thakur Resident of Village- Bahasi Saidpur, P.S.- Jandaha, District- Vaishali.
32. Mamta Kumari, W/o Sri Kunkun Kumar Resident of Village- Shankar Bindwara, P.O.- Karneji, District- Vaishali.
33. MD. Tabrez, S/o.- Md. Anwarul Haq Resident of Village- Dostiya, P.O.- Gurhanwa, P.S.- Kundwa Chainpura, District- East Champaran.
34. Vibha Kumari, W/o Devendra Kumar Resident of Village- Ward No.- 06, Baijalpur Kalyanpur, Dist- Muzaffarpur.
35. Nilam Bharti, W/o Bhikho Bharti Resident of Village- Parsama, P.O.- Goddaekn Singh, Dist.- Darbhanga.
36. Jibachi Devi, D/o- Dhaneshwar Paswan Resident of Village- Fakirna, P.O.- Birauli, Dist- Darbhanga.
37. Pankaj Kumar, S/o Rajeshwar Mishra Resident of Village- Ward No.- 10, Kailashpuri, Dumri, Dist- Sitamarhi.
38. Rajendra Prasad Mandal, S/o Late Chhotan Mahto Resident of Village- Dhapri, P.O.- Fatehpur, Dist- Jamaui.
39. Babli Upadhyay, W/o- Brajesh Upadhyay Resident of Village- Pitath, P.O.- Pitath, Dist- Bhojpur.
40. Arati Devi, W/o- Amarjeet Vishwas Resident of Village- Nadai, P.O.- Gora

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Mansingh, Dist- Darbhanga.

... ... Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Mukesh Kumar No1, Adv
For the UOI	:	Mr. Dr. Krishna Nandan Singh, Sr. Adv(ASGI)
For the NIOS		Mr. Manoj Kumar Singh, (CGC)
		Mr. Ankit Kumar Singh, Adv
For the State	:	Mr. Bindhyanchal Rai, AAG-15

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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.3590 of 2021 and other analogous cases.

2. At the outset, the learned counsel for the appellants 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 appellants.

(Mohit Kumar Shah, J)

(Sourendra Pandey, J)

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