# IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.555 of 2023**

**In**

**Civil Writ Jurisdiction Case No.8365 of 2020**

**CNR No. BRHC010330822023**

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1. Md. Vakil Son of Md. Umar, Resident of Phulwaria- 03, Ward No.- 6, Barauni, Teghara, Begusarai.
2. Kumari Vijaya Wife of Akhilesh Mishra, Resident of Akabarpur, Sorampur, Patna, Bihar.
3. Rita Kumari Daughter of Baleshwar Yadav, Primary Teacher Upgraded Middle School, Pipra, Makhdumpur Block, Jehanabad.
4. Niti Kumari Wife of Pramod Kumar Singh, Resident of Village- Barna, P.O. Nasej, P.S. Kudra, District- Kaimur at Bhabhua.
5. Bandana Kumari Wife of Sachindra Kumar Pandey, Resident of Mohalla- Tiwari Tola, Ward no. 19, District Kaimur at Bhabhua.
6. Ajit Kumar Son of Lakhan Prasad, Resident of Village and P.O. Ashari, P.S. Hilsa, District- Nalanda.
7. Ajay Kumar Yadav Son of Sri Bhagwan Yadav, Resident of Village- Sapahi, P.O. Nimej, P.S. Bramhpur, District- Buxar.

... ... Appellant/s

Versus

1. The Union of India through its Secretary, Ministry of Human Resources Development, New Delhi.
2. The State of Bihar through its Principal Secretary, Government of Bihar, Patna.
3. The Chairman, NIOS, National Institute of Open Schooling (NIOS).
4. The Secretary, NIOS, U.P.
5. The Director (Academic), NIOS, U.P.
6. The Regional Director, NIOS, Patna.
7. The Secretary Education Department, Government of Bihar, Patna.
8. The Director Primary Education, Bihar.
9. All Distinct Education Officer, Bihar.
10. All District Programme Officer, Establishment, Bihar.

... ... Respondent/s

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**Appearance :**

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| For the Appellant/s | : | Mr.Dudh Nath Singh, Adv. |
| For the UOI | : | Mr. Ram Tujabh Singh, Adv. |
| For the State | : | Mr. Bindhyachal 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 by the appellants against the order dated 19.10.2022, passed in CWJC No. 8365 of 2020 and other analogous cases.

2. 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.

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.

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4. Consequently, all the pending I.As also stand disposed of.

**(Mohit Kumar Shah, J)**

**( Sourendra Pandey, J)**

Ajay/-

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