IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.569 of 2023
In
Civil Writ Jurisdiction Case No.3849 of 2022

CNR No. BRHC010342752023

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1. Azima Khatoon Wife of Zulfekar Ali, Resident of Village Shekh Parsa, P.S. Majha, District Gopalganj.
2. Shamima Khatoon D/o Late Md. Hasim Ansari Wife of Md. Kamruddin, resident of Village Paighamberpur, P.s. Hussainganj, District Siwan.

... ... Appellant/s

Versus

1. The Union of India through its Secretary Ministry Human Resources Department New Delhi.
2. The State of Bihar through its Principal Secretary, Govt. of Bihar, Patna.
3. The Chairman 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, Govt. of Bihar, Patna.
8. The Director Primary Education, Bihar.
9. The District Programme Officer Establishment, Bihar.

... ... Respondent/s

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Appearance :
For the Appellant/s : Mr.Amir Alam, Adv.
Mr. Suresh Kumar, Adv.
For the Respondent/s : Mr.Additional Solicitor General

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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 Judgment dated 19.10.2022, passed in CWJC No. 4298 of 2021 as also CWJC No. 3849 of 2022 and other analogous cases.

2. The learned counsel for the appellants fairly submits

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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.

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

(Mohit Kumar Shah, J)

(Sourendra Pandey, J)

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