IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.577 of 2023
In
Civil Writ Jurisdiction Case No.4971 of 2021

CNR No. BRHC010350102023

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Hemant Kumar Chaudhary Son of Deo Chandra Choudhary Resident of Village - Meghuliya, P.O. - Parwana, P.S. Hathouri, Distt. - Samastipur At Present Posted as Primary Teacher Untrained Upgraded Middle School Bathnaha, P.S. Khanpur, Distt. - Samastipur.

... ... Appellant/s

Versus

1. Union of India through the Secreary HRD Govt. of India, New Delhi.
2. The Secretary Human Resources Department, Govt. of India, New Delhi.
3. 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 Addl. Chief Secrertary Education Department Govt. of Bihar, Patna.
7. The Bihar School Examination Board through the 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 Samastipur
12. The Distt. Programme Officer (Estb.) Samastipur.
13. The Distt. Education Officer Muzaffarpur.
14. The Distt. Programme Officer (Estb.) Muzaffarpur.
15. Jitendra Paswan S/o-Bodha Paswan Resident of Village-Jagdispur Kushahi, Mahamadpur Balmi Distt.-Muzaffarpur, At Present Posted as Untrained Parkhand Graduate Teacher, at Upgraded Middle School Mahima, Gopinathpur, Block-Motipur Distt. Muzaffarpur.

... ... Respondent/s

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Appearance :
For the Appellant/s : Mr.Mukesh Kumar No. 1, Adv.
For the State : Mr. Bindhyachal Rai, AAG-15
Mr. Awadesh Kumar Singh, GA-1

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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 appellant against the order dated 19.10.2022, passed in CWJC No. 4971 of 2021 and other analogous cases.

2. The learned counsel for the appellant 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 appellant.

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

(Mohit Kumar Shah, J)

(Sourendra Pandey, J)

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