



2026:PATHC:39069-DB

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.315 of 2025

In

Civil Writ Jurisdiction Case No.436 of 2024

1. Arjun Kumar Son of Late Hiralal Singh, Resident of village - Sipah, Post Office and Police Station -Basantpur, District - Siwan. At present posted and working as Prakhand Teacher in Govt. Upgraded Middle School Madarpur (Rajput Tola), Anchal - Lakri Nabiganj, District Siwan.
2. Satish Kumar Dubey Son of Janardan Dubey, Resident of village -Narayanpur, Post Office -Uchkagaon, Police Station - Kuchaikot, District - Gopalganj. At present posted and working as a Prakhand Teacher in Govt. Upgraded Middle School Jalalpur Hindi, Anchal Lakri Nabiganj, District - Siwan.
3. Munni Khatoon Daughter of Ali Raja Hussain, Resident of village Mura, Police Station Basantpur, District-Siwan. At present posted and working as a Prakhand Teacher in Govt. Upgraded Middle School Wazidpur Urdu, Anchal - Lakri Nabiganj, District - Siwan.
4. Ishrat Parveen @ Ishrat Parbeen Daughter of Ainul Haque Ansari, Resident of Village and Post Office-Mustafabad, Police Station- Goreyakothi, District -Siwan. At present posted and working as a Prakhand Teacher in Govt. Middle School Sikatiya, Anchal Lakri Nabiganj, District -Siwan.
5. Kumari Seema Gupta Daughter of Vinod Gupta, Resident of village and Post Office and Police Station Basantpur, District Swian. At present posted and working as a Prakhand Teacher in Govt. Upgraded Middle School Wazdipur Urdu, Anchal- Lakri Nabiganj, District- Siwan.
6. Wazda Tabbasum Daughter of Samiullah Ansari, Resident of village -Sahnawazpur, Police Station - Goreyakothi, District - Siwan. At present posted and working as a Prakhand Teacher in Govt. Upgraded Middle School Khawaspur Hindi, Anchal - Lakri Nabiganj, District - Siwan.
7. Md. Mojibur Rahman Son of Aatur Rah, Resident of village and Post Office Mustafabad, Police Station- Goreyakothi, District-Siwan. At present posted and working as a Prakhand Teacher in Govt. Upgraded Middle School Khawaspur Hindi, Anchal Lakri Nabiganj, District -Siwan.
8. Shiv Kumar Ram Son of Kalam Ram, Resident of village Bindwal, Post Office- Chainpur, Police Station Goreyakothi, District Siwan. At present posted and working as a Prakhand Teacher in Govt. Upgraded Middle School Indauli, Anchal Lakri Nabiganj. District - Siwan.
9. Gulab Chand Ram Son of Rampyare Ram, Resident of village and Post Office - Khajuri, Police Station Kuchaikot, District Gopalganj. At present posted and working as a Prakhand Teacher in Govt. Upgraded Middle School Ujjaina, Anchal - Lakri Nabiganj, District- Siwan.
10. Dinesh Singh Son of Ramashankar Singh, Resident of village and Post Office Ratanpura, Police Station- Gopalpur, District- Gopalganj. At present posted and working as a Prakhand Teacher in Govt. Upgraded Middle School Basauli, Anchal - Lakri Nabiganj, District - Siwan.
11. Nitu Kumari Daughter of Shailanath Singh, Resident of village and Post





- Office- Kawalpur, Police Station Goreyakothi, District - Saran at Chapra. At present posted and working as a Prakhand Teacher in Govt. Upgraded Middle School Barwan Dumri, Anchal Lakri Nabiganj, District - Siwan.
12. Md. Ziyaul Rahman @ Md. Ziyau Rehman Son of Ainul Haque Ansari, Resident of village Mustafabad, Post Office Chainpur, Police Station Goreyakothi, District Siwan. At present posted and working as a Prakhand Teacher in Govt. Kanya Middle School Nandpur, Anchal - Lakri Nabiganj, District - Siwan.
 13. Kumari Arti Kushwaha Wife of Chandan Kumar, Resident of village and Post Office Uchkagaon, Police Station- Kuchaikot, District- Gopalganj. At present posted and working as a Prakhand Teacher in Govt. Middle School Bishunpura, Anchal Lakri Nabiganj, District - Siwan.
 14. Ajay Kumar Gupta Son of Yogendra Prasad Gupta, Resident of village and Post Office- Sasamusa, Police Station- Kuchaikot, District- Gopalganj. At present posted and working as a Prakhand Teacher in Govt. Upgraded Middle School Ujjaina, Anchal Lakri Nabiganj, District Siwan.
 15. Savitri Kumari Daughter of Sahdeo Ram, Resident of village and Post Office - Chainpur, Police Station- Goreyakothi, District Siwan. At present posted and working as a Prakhand Teacher in Govt. Upgraded Middle School Bhadda Urdu, Anchal Lakri Nabiganj, District - Siwan.
 16. Anupma Kumari Daughter of Ranjit Singh, Resident of village and Post Office - Uchkagaon, Police Station- Kuchaikot, District- Gopalganj. At present posted and working as a Prakhand Teacher in Govt. Middle School Kishunpura, Anchal - Lakri Nabiganj, District - Siwan.
 17. Md. Rizwan Son of Sagir Alam, Resident of village and Post Office Lakri Nabiganj, Police Station- Nabiganj, District- Siwan. At present posted and working as a Prakhand Teacher in Govt. Upgraded Middle Lakri Maktab, Anchal - Lakri Nabiganj, District - Siwan.
 18. Shahid Ekbal Son of Sahabuddin Ahmad, Resident of village and Post Office and Police Station-Basantpur, District - Siwan. At present posted and working as a Prakhand Teacher in Govt. Upgraded Middle School Nandpur. Anchal - Lakri Nabiganj, District-Siwan.
 19. Ajay Kumar Son of Hari Narayan Pandey, Resident of village and Post Office-Gopalpur, Police Station- Nabiganj, District- Siwan. At present posted and working as a Prakhand Teacher in Govt. Middle School Gopalpur, Anchal - Lakri Nabiganj, District - Siwan.
 20. Subi Kumari Daughter of Rameshwar Prasad Yadav, Resident of village Basauli, Post Office Nabiganj. Police Station Nabiganj District Siwan. At present posted and working as a Prakhand Teacher in Govt. Upgraded Middle School Lachhua, Anchal- Lakri Nabiganj, District- Siwan.

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Additional Chief Secretary cum the Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna.





4. The District Education Officer, Siwan.
5. The District Programme Officer (Establishment), Siwan.
6. The Block Development Officer Lakri Nabiganj, District- Siwan.
7. The Block Education Officer, Lakri Nabiganj, District- Siwan.
8. The Block Panchayat Raj Officer cum the Block Development Officer, Lakri Nabiganj, District- Siwan.
9. The Panchayat Secretary, Gram Panchayat Raj Lakri Nabiganj, Block- Lakri Nabiganj, District- Siwan.
10. The Secretary, Block Employment Unit, Block- Lakri Nabiganj, District- Siwan.

... .. Respondent/s

with
Letters Patent Appeal No. 287 of 2025
In
Civil Writ Jurisdiction Case No.18081 of 2022

Puja Kumari Wife of Rupesh Singh, Resident of Village - Gangava, P.S. - Sindhwaliya, District- Gopalganj, Pin Code - 841423.

... .. Appellant/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Govt. of Bihar, Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna.
4. The District Education Officer, Gopalganj.
5. The District Programme Officer (Estab.), Gopalganj.

... .. Respondent/s

with
Letters Patent Appeal No. 288 of 2025
In
Civil Writ Jurisdiction Case No.4554 of 2023

1. Ranjana Kumari Wife of Shri Ripu KumarDixit, Resident of Koreya Dixit, P.O. - Jagtaul, Koreya, District Gopalganj, Pin - 841426.
2. Nagma Shaheen Daughter of Shri Shamshad Ali Resident of Village Tarwara, P.O. - Tarwara, District- Siwan, Pin - 841506.
3. Parween Zafri Wife of Shri Javed Ahmad, Resident of House NO. 53 KH, Village - Pipra, P.O. Pipra, District- Gopalganj, Pin - 841427.
4. Babuddin Ali Son of Shri Mokhtar Ali, Resident of Village - Saraiya, Post Saraiya, District - Siwan, Pin - 841506.





5. Ghulam Husain Son of Shri Sageer Ahmad Resident of Barasara, Barharia, P.O. Barharia, District- Siwan, Pin - 841232.
6. Jitendra Kumar Manjhi Son of Shri Sivbalak Manjhi Resident of 70, Tilsandi, Braharia, P.O. Barharia, District- Siwan, Pin - 841232.
7. Pramod Paswan Son of Shri Baijnath Paswan Resident of Ukhai Purab Patti, P.O. - Ukhai, District- Siwan, Pin - 841227.
8. Dharmendra Kumar Bhakta Son of Shri Jagdish Bhakta Resident of Village - Dihiya, Pipra Naryan, Post - Dindayalpur, District- Siwan, Pin - 841506.
9. Sarita Singh Wife of Shri Vinay Kumar Prasad Resident of Kothuasarangpur, P.O. - Kothuasarangpur, District- Siwan, Pin - 841238.
10. Gudiya Kumari Wife of Shri Kumar Manikant Resident of Village - New Bhupatipur, South Bhupatipur, Post - Sheikhpura, District- Patna, Pin - 800020.
11. Sangita Kumari Wife of Sri Rajesh Singh Resident of Uttar Tola Itwa, P.S. - Itwa, District- Siwan, Pin - 841241.

... .. Appellant/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Govt. of Bihar, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. District Education Officer, Siwan.
4. District Programme Officer, Establishment, Siwan.
5. Block Development Officer - cum- Secretary, Block Teachers Employment Unit, Pachrukhi, District- Siwan.
6. Block Education Officer, Pachrukhi, District- Siwan.
7. Block Teachers Employment Unit, Pachrukhi, District- Siwan through its Secretary.

... .. Respondent/s

with

Letters Patent Appeal No. 293 of 2025

In

Civil Writ Jurisdiction Case No.12726 of 2024

1. Priyanka Singh D/o Vishwanath Singh Resident of Village- Ukhai Purab Tola, P.S.-O.P. Sarai, District- Siwan.
2. Dipika Singh D/o Dinesh Singh R/o Village- Ward No. 13 Behind Triveni Place, Gopalganj, P.S.- Gopalganj, District- Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.





2. The Additional Chief Secretary, Department of Education Government of Bihar, Patna.
3. The Director, Primary Education, Education Department, Government of Bihar, Patna.
4. The District Education Officer, Siwan.
5. The District Programme Officer (Establishment), Siwan.
6. The Block Education Officer, Pachrukhi Block, District-Siwan.
7. The Block Development Officer, Pachrukhi Block, District-Siwan.

... .. Respondent/s

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with

Letters Patent Appeal No. 294 of 2025

In

Civil Writ Jurisdiction Case No.11855 of 2024

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1. Baby Kumari D/o Rambalak Singh Resident of Village- Bhadal, P.O.- Bhimpur, P.S. Barharia, District- Siwan.
2. Kumari Mira, D/o Sri Ramdeo Prasad, Wife of Surendra Prasad Resident of Village- Kodai, P.O.- Chap, P.S.- Pachrukhi, District- Siwan.
3. Nitu Kumari, D/o Yogendra Prasad, W/o Santosh Kumar Resident of Village- Gudhni, P.O. and P.S. Gudhni, District- Siwan.
4. Khurshid Alam, Son of Abdul Karim Resident of Village- Kajidhamsar, P.O.- Panditpur, P.S. Janta Bazar, District- Siwan.
5. Ajimullah Ansari, Son of Abdul Rahman Resident of Village- Beldari Tola, P.O.- Maharajganj, P.S.- Draunda, District- Siwan.

... .. Appellant/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Education Department, Government of Bihar, Patna.
4. The District Education Officer, Siwan.
5. The District Programme Officer (Establishment), Siwan.
6. The Block Education Officer, Panchrukhi Block, District- Siwan.
7. The Block Development Officer, Panchrukhi Block, District- Siwan.

... .. Respondent/s

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with





Letters Patent Appeal No. 297 of 2025
In
Civil Writ Jurisdiction Case No.7956 of 2022

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Bimala Prasad Wife of Anil Kumar Manjhi, Resident of Village-Jagatpur, P.s.-
Barhariya, District-Siwan.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Education Department, Government of Bihar, Patna.
4. The District Education Officer, Gopalganj.
5. The District Programme Officer (Establishment), Gopalganj, Bihar.
6. The Mukhiya cum Chairman, Panchayat Teacher Niyojan Unit, Gram Panchayat Raj, Paithan Patti, Manjha, Gopalganj.
7. The Panchayat Secretary cum Secretary, Panchayat Teachers Niyojan Unit, Gram Panchayat Raj, Paithan Patti, Manjha, Gopalganj.

... .. Respondent/s

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with

Letters Patent Appeal No. 301 of 2025
In
Civil Writ Jurisdiction Case No.16170 of 2022

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Kamini Kumari @ Kamni Kumari Wife of Avinash Kumar Singh, Resident of
Janglia, Ward No. 18, Thawe Road, P.S. and District- Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The District Magistrate, Gopalganj.
3. The District Programme Officer (Establishment), Gopalganj.
4. The District Education Officer, Gopalganj.
5. The Mukhiya-cum-Chairman, Panchayat Employment Committee, Gram Panchayat Raj Chourav, District- Gopalganj.
6. The Panchayat Secretary, Gram Panchayat Raj Chourav, District- Gopalganj.

... .. Respondent/s

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with





Letters Patent Appeal No. 302 of 2025
In
Civil Writ Jurisdiction Case No.4140 of 2024

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Ramta Prasad Son of Brahmdeo Prasad @ Brahamdew Prasad, Resident of
Village - Kumhar @ Kushahar, P.S. -Mahamadpur, District - Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Additional Chief Secreary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Education Officer, Gopalganj.
5. The District Programme Officer (Establishment), Gopalganj.
6. The Block Education Officer, Baikunthpur, District- Gopalganj.

... .. Respondent/s

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with
Letters Patent Appeal No. 303 of 2025
In
Civil Writ Jurisdiction Case No.7455 of 2022

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Sita Devi Wife of Shri Bhupendra Kumar Singh, Resident of Village- Pinarthu
Khurd, Sonbarsa, P.S - Daraundha, District - Siwan.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Education Officer, Siwan.
5. The District Programme Officer, Siwan.
6. The Block Development Officer, Pachrukhi, Siwan.
7. The Block Education Officer, Pachrukhi, Siwan.
8. The Pramukh-cum-Chairman, Block Niyojan Unit, Pachrukhi, Siwan.

... .. Respondent/s

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with
Letters Patent Appeal No. 308 of 2025
In
Civil Writ Jurisdiction Case No.16673 of 2022





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Rinki Kumari Wife of Alok Kumar Singh, Resident of Janglia, Ward No. 18,
Thawe Road, P.S. and District- Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The District Magistrate, Gopalganj.
3. The District Programme Officer (Establishment), Gopalganj.
4. The District Education Officer, Gopalganj.
5. The Mukhiya-cum-Chairman, Panchayat Employment Committee, Gram Panchayat Raj Chourav, District- Gopalganj.
6. The Panchayat Secretary, Gram Panchayat Raj Chourav, District - Gopalganj.

... .. Respondent/s

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with

Letters Patent Appeal No. 310 of 2025

In

Civil Writ Jurisdiction Case No.4160 of 2024

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Ragini Kumari Wife of Ajay Kumar Singh, Resident of Village - Pipra, P.S. -
Sidhwalia, District- Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Education Officer, Gopalganj.
5. The District Programme Officer (Estb.), Gopalganj.
6. The Block Education Officer, Baikunthpur, District- Gopalganj.

... .. Respondent/s

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with

Letters Patent Appeal No. 314 of 2025

In

Civil Writ Jurisdiction Case No.18409 of 2023

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Sunil Kumar Singh Son of Shri Rambahadur Singh Resident of village-
Seriyan, Post Office - Baiju Barhoga, Seria, Police Station - Baikunthpur,
District Gopalganj, At present posted and working as Prakhanda Teacher in
Govt. Middle School Mujaha, Block - Baikunthpur, District - Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.





2. The Additional Chief Secretary -cum-the Principal Secretary Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna.
4. The District Education Officer, Gopalganj.
5. The District Programme Officer (Establishment), Gopalganj.
6. The Block Development Officer-cum- the Secretary, Block Teachers Employment Unit Baikunthpur, District - Gopalganj.
7. The Block Education Officer, Baikunthpur, District - Gopalganj.
8. The Block Panchayati Raj Officer-cum- the Executive Officer, Panchayat Samiti Baikunthpur, District - Gopalganj.

... .. Respondent/s

with
Letters Patent Appeal No. 316 of 2025
In
Civil Writ Jurisdiction Case No.8696 of 2024

1. Jairam Rajak son of Shri Magister Rajak, resident of village - Tiyya, Ward No. 1, TA, Police Station - Andar, District - Siwan. Prakhanda Teacher in Govt. Upgraded Middle School Suryapura, Anchal-Ziradei, District -Siwan.
2. Dinesh Kumar Ram Son of Shri Rambachan Ram resident of village Bangra Ujjain, Miyan Ke Bhatkan, Police Station Andar, District -Siwan. Prakhanda Teacher in Govt. Upgraded School Hirmakariyar, Anchal - Ziradei, District-Siwan.

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Additional Chief Secretary -cum- the Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Magistrate, Siwan
5. The District Education Officer, Siwan.
6. The District Programme Officer (Establishment) Siwan.
7. The Secretary-cum- the Block Development Officer, Block Teacher Employment Unit, Ziradei, District - Siwan.
8. The Block Development Officer, Ziradei, Siwan.
9. The Block Panchayati Raj Officer, Ziradei, Siwan.
10. The Block Education Officer, Ziradei, Siwan.

... .. Respondent/s

with
Letters Patent Appeal No. 327 of 2025
In
Civil Writ Jurisdiction Case No.9044 of 2024





Priyanka Kumari Daughter of Krishna Kant Singh, W/o Sri Amit Kumar Singh Resident of Village- Sipah, P.O and P.S.- Basantpur, District- Siwan, P.O. and P.S.-Basantpur, District-Siwan, Presently residing at Village and P.O.-Ratan Padauli, P.S.-BHagwanpur Hat, District-Siwan.

... .. Appellant/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
2. The District Education Officer, Siwan.
3. The District Programme Officer (Establishment), Siwan.
4. The Block Panchayati Raj Officer, Bahgwanpur Hat, P.O. and P.S.- Bhagwanpur Hat, District-Siwan.
5. The Block Education Officer, Bahgwanpur Hat, P.O. and P.S.-Bhagwanpur Hat, District-Siwan.
6. The Panchayat Secretary, Gram Panchayat Raj, Sarai Padauli, Block-Bhagwanpur, District-Siwan.

... .. Respondent/s

with

Letters Patent Appeal No. 330 of 2025

In

Civil Writ Jurisdiction Case No.10001 of 2024

1. Bharosha Kumari Daughter of Krishna Prasad Gupta, Wife of Sri Birendra Kumar Prasad Resident of Village- Karahi Khurd, P.O and P.S.- Basantpur, District- Siwan
2. Manish Kumar Pal Son of Mohar Lal Prasad Resident of Village and P.O.- Barkagaon, P.S.- Bhagwanpur Hat, District- Siwan.
3. Pawan Kumar Singh Son of Prabhunath Singh Resident of Village- Lauwan Khurd, P.O.- Mirzapur, P.S.- Janta Bazar, District- Chapra.

... .. Appellant/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
2. The District Education Officer, Siwan.
3. The District Programme Officer (Establishment), Siwan.
4. The Block Education Officer, Bhagwanpur Hat, P.O. and P.S. - Bhagwanpur Hat, District- Siwan.
5. The Panchayat Secretary, Gram Panchayat Raj, Khedhwa, Block-Bhagwanpur Hat, District- Siwan.

... .. Respondent/s

with





Letters Patent Appeal No. 342 of 2025
In
Civil Writ Jurisdiction Case No.1280 of 2024

Kumari Annu Tiwari @ Kumari Anu Tiwari Daughter of Sri Lalan Tiwari,
Resident of Village- Dhanauti, P.O. and P.S.- Mashrak, District- Saran
Presently working as Block Teacher, Upgraded Middle School, Hamidpur,
Block- Baikunthpur, District- Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt. of Bihar,
New Secretariat, Patna.
2. The District Education Officer, Gopalganj.
3. The District Programme Officer (Establishment), Gopalganj.
4. The Block Development Officer-cum-Secretary, Block Teacher Employment
Unit, Baikunthpur, P.O. and P.S.- Baikunthpur, District- Gopalganj.
5. The Block Education Officer, Baikunthpur, P.O. and P.S.- Baikunthpur,
District- Gopalganj.

... .. Respondent/s

with
Letters Patent Appeal No. 344 of 2025
In
Civil Writ Jurisdiction Case No.12528 of 2024

1. Amit Kumar Sinha Son of Late Ram Chandra Prasad Resident of Village-
and P.O.- Charuipar, P.S.- Noorsaria, District- Nalanda.
2. Sachhidanand Kumar Son of Late Bechu Ram Resident of Village-Bedhna,
P.O. Narsanda, P.S.-Harnaut, District-Nalanda.
3. Rajesh Kumar Son of Kishori Prasad Resident of Village-Gopibigha, P.O.-
Tulsigarh, P.S.-Chandi, District-Nalanda.

... .. Appellant/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt. of Bihar,
New Secretariat, Patna.
2. The District Education Officer, Nalanda at Biharsharif.
3. The District Programme Officer, (Establishment), Nalanda at Biharsharif.
4. The Block Education Officer, Chandi, P.O. and P.S.-Chandi, District-
Nalanda at Biharsharif.
5. The Panchayat Secretary, Gram Panchayat Raj, Rukhai, Block-Chandi,
District-Nalanda at Biharsharif.
6. The Mukhiya, Gram Panchayat Raj Rukhai, Block-Chandi, District-Nalanda
at Biharsharif.

... .. Respondent/s

with





Letters Patent Appeal No. 346 of 2025
In
Civil Writ Jurisdiction Case No.12965 of 2024

Ranju Kumari Daughter of Ramdeo Prasad, Wife of Pramod Kumar, Resident of Village, P.O. and P.S. - Shahjahanpur, District- Patna.

... .. Appellant/s

Versus

1. The State of Bihar through the Director, Primary Education Govt. of Bihar, New Secretariat, Patna.
2. The District Education Officer, Nalanda at Biharsharif.
3. The District Programme Officer (Establishment), Nalanda at Biharsharif.
4. The Block Education Officer, Chandi, P.O. and P.S. - Chandi, District- Nalanda at Biharsharif.
5. The Panchayat Secretary, Gram Panchayat Raj, Rukhai, Block - Chandi, District- Nalanda at Biharsharif.
6. The Mukhiya, Gram Panchayat Raj, Rukhai, Block- Chandi, District- Nalanda at Biharsharif.
7. Pratima Kumari Daughter of Shyam Nandan Prasad, Wife of Dhananjay Kumar Chakravarti, Resident of Village - Kalyanpur Bali, P.O. - Jagatpur, P.S. - Chandi, District- Nalanda.

... .. Respondent/s

with

Letters Patent Appeal No. 347 of 2025
In
Civil Writ Jurisdiction Case No.12965 of 2024

1. Pratima Kumari Daughter of Shyam Nandan Prasad, Wife of Dhananjay Kumar Chakravarti, Resident of Village - Kalyanpur Bali, P.O. - Jagatpur, P.S. - Chandi, District- Nalanda.
2. Babita Kumari Daughter of Ramashish Paswan, Wife of Dharmendar Paswan, Resident of Village - Kaithir, P.O. - Mahkar, P.S. - Chandi, District- Nalanda.
3. Ranju Kumari Daughter of Karu Mahto, Wife of Ram Pravesh Prasad, Resident of Village - Badi Kevai, P.O. - Daniawan, P.S. - Shahjahanpur, District- Patna.

... .. Appellant/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
2. The District Education Officer, Nalanda at Biharsharif.
3. The District Programme Officer (Establishment), Nalanda at Biharsharif.
4. The Block Education Officer, Chandi, P.O. and P.S. - Chandi, District- Nalanda at Biharsharif.
5. The Panchayat Secretary, Gram Panchayat Raj, Rukhai, Block - Chandi,





District- Nalanda at Bihar Sharif.

6. The Mukhiya, Gram Panchayat Raj, Rukhai, Block- Chandi, District- Nalanda at Bihar Sharif.
7. Ranju Kumari Daughter of Ramdeo Prasad, Wife of Pramod Kumar, Resident of Village, P.O. and P.S. - Shahjahanpur, District- Patna.

... .. Respondent/s

with

Letters Patent Appeal No. 350 of 2025

In

Civil Writ Jurisdiction Case No.5932 of 2024

1. Amarjeet Kumar Son of Hari Narayan Shah Resident of Village- Chitauli Bazar, Chittauli Kala, Police Station- Goreyakothi, District - Siwan.
2. Bikash Kumar @ Vikas Kumar Son of Arjun Singh Resident of Village - Hariharpur Kala, Police Station - Goreyakothi, District - Siwan.
3. Bina Kumari Daughter of Bhuneshwar Singh Resident of Village - Barhoga Kothi, Barhoga Parsotim, Police Station - Goreyakothi, District - Siwan.
4. Sanjiv Kumar Son of Jawahar Bharti Resident of Ward No. 20, Krishna Nagar, Post Officer and District Gopalganj at Present residing at Goreyakothi West Mathia, Police Station-Goreyakothi, District-Siwan.
5. Madhuri Kumari Daughter of Thakur Singh Resident of Village - Hariharpur (Kala), Police Station Jamo Bazar, District - Siwan.

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Magistrate, Siwan.
5. The District Education Officer, Siwan.
6. The District Programme Officer (Establishment), Siwan.
7. The Block Development Officer -cum- Member Secretary, Block Employment Unit, Goreyakothi, District -Siwan.
8. The Block Development Officer, Goreyakothi, Siwan.
9. The Block Panchayati Raj Officer, Goreyakothi, Siwan.
10. The Block Education Officer, Goreyakothi, Siwan.

... .. Respondent/s

with

Letters Patent Appeal No. 351 of 2025

In

Civil Writ Jurisdiction Case No.17679 of 2023





Shyamli @ Shyamali Daughter of Jay Nath Singh, Resident of Lodipur, China Kothi, Near Bihar Fire Service, Patna, P.S.-Kotwali, District-Patna, presently working as Block Teacher in Upgraded Middle School, Balahan, Block-Baikunthpur, District-Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
2. The District Education Officer, Gopalganj.
3. The District Programme Officer (Establishment), Gopalganj.
4. The Block Development Officer cum Secretary, Block Teacher Employment Unit, Baikunthpur, P.O. and P.S. - Baikunthpur, District-Gopalganj.
5. The Block Education Officer, Baikunthpur, P.O. and P.S. - Baikunthpur, District-Gopalganj.

... .. Respondent/s

with

Letters Patent Appeal No. 352 of 2025

In

Civil Writ Jurisdiction Case No.4178 of 2024

1. Sumitra Kumari Daughter of Shri Ram Sah, Wife of Mankeshwar Sah, Resident of Village Uchkagaon, Post Office -Uchkagaon, District Gopalganj. At present posted and working as Prakhand Teacher in Govt. Upagraded Middle School Suryapura Ahir Toli, Anchal Basantpur, District - Siwan.
2. Mani Prakash Dubey Son of Om Prakash Dubey Resident of Village-9, Narayan Pur, Narayaneshwar Mandir, Police Station Kuchaikote, District-Gopalganj. At present posted and working as a Prakhand Teacher in Govt. Higher Secondary 10 plus 2 School, Karcholiya, Anchal- Basantpur, District- Siwan

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar. Patna.
2. The Additional Chief Secretary -cum- the Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Magistrate, Siwan.
5. The District Education Officer, Siwan.
6. The District Programme Officer (Establishment) Siwan.
7. The Secretary-cum- the Block Development Officer, Block Teacher Employment Unit, Basantpur, District - Siwan.
8. The Block Development Officer, Basantpur, Siwan.
9. The Block Panchayati Raj Officer, Basantpur, Siwan.
10. The Block Education Officer, Basantpur, Siwan.

... .. Respondent/s





with
Letters Patent Appeal No. 353 of 2025
In
Civil Writ Jurisdiction Case No.1001 of 2024

Murshid Alam Son of Rahmuddin Resident of Village and Post Office -
Khawaspur, Ward No. 8, Khawaspur Tola Malikana, Near- Road, Police
Station - Basantpur, District - Siwan.

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Additional Chief Secretary-Cum-the Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna.
4. The District Education Officer, Siwan.
5. The District Programme Officer (Establishment), Siwan.
6. The Block Development Officer, Lakarinaviganj, District - Siwan.
7. The Block Education Officer, Lakarinaviganj, District-Siwan.
8. The Block Panchayati Raj Officer-cum-the Block Development Officer, Lakarinaviganj, District - Siwan.

... .. Respondent/s

with
Letters Patent Appeal No. 354 of 2025
In
Civil Writ Jurisdiction Case No.11137 of 2024

1. Rajnish Kr. Bhargav S/o Kameshwar Singh, R/o Vill- Maghari, P.O.- Saghar Sultanpur, P.S.- Bhagwanpur Hat, District- Siwan.
2. Manoj Kumar Yadav @ Manoj Yadav, S/O- Udaynarayan Yadav, R/o- Vill and P.O.- Khajuri, P.S.- Sasamusa Distt- Gopalganj.
3. Firoj Ahmad, S/o Dil Mohammad, R/o- Vill- Alampur, P.O.- Mohammadpur, P.S.- Barharia, Distt- Siwan.
4. Alka Kumari, W/o Dev Kumar Singh, R/o- Vill- Raghunathpur Tola Koninaya, P.O.- Rampur, P.S. Keshariya, Distt- East Champaran.
5. Seeta Kumari @ Seeta Singh, D/o- Sujit Kumar, R/o Vill and P.O.- Sultanpur (Urdu), P.S.- Bhagwanpur Hat Distt- Siwan.
6. Jitendra Kumar Rai, S/o- Bachcha Ray, R/o- Vill and P.O.- Mithi P.S.- Goriyakothi, Distt- Siwan.

... .. Appellant/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar Patna.





3. The Director, Primary Education Government of Bihar Patna.
4. The District Education Officer, Siwan.
5. The District Programme Officer (Establishment), Siwan.
6. The Block Education Officer, Basantpur, Distt- Siwan.
7. The Secretary, Block Employment Unit- Basantpur Block- Basantpur, Distt- Siwan.

... .. Respondent/s

with
Letters Patent Appeal No. 357 of 2025
In
Civil Writ Jurisdiction Case No.12608 of 2024

Gyanti Kumari Daughter of Sri Sivnath Ram Resident of Village and P.O. - Dubauli, P.S. - Panapur, District- Saran, posted as Panchayat Teacher in New Primary School, Mangalpur (Dhobi Tola), Block - Baikunthpur, District- Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Director, Primary Education, govt. of Bihar, New Secretariat, Patna.
2. The District Education Officer, Gopalganj.
3. The District Programme Officer (Establishment), Gopalganj.
4. The Block Education Officer, Baikunthpur, P.O. and P.S. - Baikunthpur, District- Gopalganj.
5. The Panchayat Secretary, Gram Panchayat Raj, Ajbi Nagar, Block - Baikunthpur, District- Gopalganj.

... .. Respondent/s

with
Letters Patent Appeal No. 358 of 2025
In
Civil Writ Jurisdiction Case No.10844 of 2024

1. Kumari Sudha Yadav D/o - Basudeo Yadav, R/o - Vill - Gararia, P.O. and P.S. - Guthani, Distt. - Siwan.
2. Nirmala Tiwari D/o Chandra Shekhar Dubey, R/o Vill and P.O. and P.S. - Guthani, Distt- Siwan.
3. Khusbu Chaturvedi D/o - Ganga Sagar Chaturvedi, R/o - Vill - Sematanr, P.O. and P.S. - Guthani, Distt- Siwan.
4. Ragini Kumari D/o Kameshwar Singh R/o Vill - Belore, P.S. - Guthani, Distt. - Siwan.
5. Pradeep Kumar S/o Vyas Kushwaha R/o Vill - Sohrai, P.O. and P.S. - Guthani, Distt- Siwan.
6. Rita Devi D/o Rudal Yadav R/o Vill - Sematanr, P.O. and P.S. - Guthani, Distt - Siwan.





... .. Appellant/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Education Officer, Siwan.
5. The District Programme Officer (Establishment), Siwan.
6. The Block Education Officer, Guthani, Distt - Siwan.
7. The Secretary, Block Teacher Niyojan Unit, Block - Guthani, Distt. - Siwan.

... .. Respondent/s

with

Letters Patent Appeal No. 359 of 2025

In

Civil Writ Jurisdiction Case No.18362 of 2023

Jamila Khatoon @ Jamila Khatun Wife of Md. Shah Alam Resident of Village-and P.O.- Barahima, P.S.- Sidhwaliya, District- Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
2. The District Education Officer, Gopalganj.
3. The District Programme Officer (Establishment), Gopalganj.
4. The Block Panchayati Raj Officer, Barauli, P.O. and P.S.-Barauli, District-Gopalganj.
5. The Block Education Officer, Barauli, P.O. and P.S.-Barauli, District-Gopalganj.
6. The Panchayat Secretary-Cum-Secretary, Panchayat Teacher Employment Unit, Gram Panchayat Raj, Rampur, P.O.-Rampur, Block and P.S.-Barauli, District-Gopalganj.

... .. Respondent/s

with

Letters Patent Appeal No. 362 of 2025

In

Civil Writ Jurisdiction Case No.10139 of 2023

Madhuri Kumari Daughter of Gauri Shankar Thakur, Resident of Village and P.O.- Khetith, P.S. - Baikunthpur, District - Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.





2. The District Education Officer, Gopalganj.
3. The District Programme Officer (Establishment), Gopalganj.
4. The Block Development Officer-cum-Secretary, Block Teacher Employment Unit, Baikunthpur, P.O. and P.S. Baikunthpur, District - Gopalganj.
5. The Block Education Officer, Baikunthpur, P.O. and P.S. Baikunthpur, District - Gopalganj.

... .. Respondent/s

with
Letters Patent Appeal No. 364 of 2025
In
Civil Writ Jurisdiction Case No.17645 of 2023

Rina Kumari Daughter of Vikram Narayan Singh, Resident of Village and P.O.- Khetith, P.S.- Baikunthpur, District- Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
2. The District Education Officer, Gopalganj.
3. The District Programme Officer (Establishment), Gopalganj.
4. The Block Development Officer-cum-Secretary, Block Teacher Employment Unit, Baikunthpur, P.O. and P.S. - Baikunthpur, District - Gopalganj.
5. The Block Education Officer, Baikunthpur, P.O. and P.S. - Baikunthpur, District - Gopalganj.

... .. Respondent/s

with
Letters Patent Appeal No. 365 of 2025
In
Civil Writ Jurisdiction Case No.10732 of 2023

Niku Wife of Sri Mukesh Kumar Shukla, Resident of Village and P.O.- Khajuhatti, P.S.- Baikunthpur, District- Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
2. The District Education Officer, Gopalganj.
3. The District Programme Officer (Establishment), Gopalganj.
4. The Block Education Officer, Baikunthpur, P.O. and P.S.-Baikunthpur, District-Gopalganj.
5. The Panchayat Secretary, Gram Panchayat Raj, Dharmbari, Block and P.S.- Baikunthpur, District-Gopalganj.

... .. Respondent/s





with
Letters Patent Appeal No. 367 of 2025
In
Civil Writ Jurisdiction Case No.18173 of 2023

1. Sarita Kumari @ Sarita Devi Prem Kumar Prasad, Resident of Village- Musehari, Police Station- Jamo Bazar, District Siwan.
2. Manoj Kumar Singh son of Yogendra Singh resident of village - Hariharpur (Kala), Police Station- Goreyakothi, District Siwan.
3. Ajit Kumar Singh son of Shri Thakur Singh resident of village -Hariharpur (Kala), Police Station- Goreyakothi, District Siwan.
4. Anuj Singh son of Amarjit Singh resident of village - Mirzapur, Gorea Kothi, Police Station - Goreyakothi, District - Siwan.
5. Ghanshyam Tiwari son of Harishankar Tiwari resident of village- Hulas Chapra, Police Station- Goreyakothi, District- Siwan.
6. Hari Mohan Tiwary Son of Ramendar Tiwary resident of House No. 106, Madhuban Enclave, G.T. Road, Khera Dharmapura, Police Station- Gautam Buddha Nagar, Uttar Pradesh.
7. Mritunjay Kumar Pandey Son of Raghaw Rabindra Pandey resident of village Goriakothi, Police Station -Goriakothi, District - Siwan.

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Additional Chief Secretary-cum- the Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Magistrate, Siwan.
5. The District Education Officer, Siwan.
6. The District Programme Officer (Establishment) Siwan.
7. The Chairman of Block Employment Committee-cum-Prakhand Pramukh, Goreyakothi, District - Siwan
8. The Block Development Officer, Goreyakothi, Siwan.
9. The Block Panchayati Raj Officer, Goreyakothi, Siwan.
10. The Block Education Officer, Goreyakothi, Siwan.

... .. Respondent/s

with
Letters Patent Appeal No. 369 of 2025
In
Civil Writ Jurisdiction Case No.11891 of 2024

1. Gyan Prakash Singh Son of Niteshwar Prasad Singh Resident of village- Narharpur, Post Office- Kishunpur, District- Siwan.
2. Vimlesh Kumar Singh, Son of Sachhidanand Singh Resident of Village-





Shekhpura, Post Office- Mahual Mahal, District- Siwan.

3. Ajay Kumar, Son of Kashinath Pandey Resident of Village- Bhamitola, Post Office- Uchkagagar, District- Siwan.
4. Krishnaji Prasad, Son of Shreeram Sah Resident of Village- Uchkagav, Post Office- Uchkagav, District- Siwan.
5. Ajmat Parwin, Daughter of Md. Asalam Resident of Village- Kadipur, Post Office- Nagra, District- Chhapra.
6. Abhay Kumar, Son of Savliya Prasad Resident of Village- Mahpur, Post Office- Siwan, Police Station- O.P. Sarai, District- Siwan.

... .. Appellant/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar Patna.
4. The District Education Officer, Siwan.
5. The District Programme Officer (Establishment), Siwan.
6. The Block Education Officer, Basantpur, District- Siwan.
7. The B.D.O. -Cum- Secretary, Block Teacher Niyojan Unit, Block- Basantpur Block, District- Siwan.

... .. Respondent/s

with

Letters Patent Appeal No. 370 of 2025

In

Civil Writ Jurisdiction Case No.11461 of 2024

Puja Kumari Wife of Sunil Singh and Daughter of Ramnaresh Singh, Resident of Village- Karn Kudariya, P.O.- Dumarsan Bangra, Kundariya, P.S- Masrak, District- Gopalganj. At present residing at Village- Marwa, P.S- Baikunthpur, District- Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The District Magistrate, Gopalganj.
3. The District Programme Officer (Establishment), Gopalganj.
4. The District Education Officer, Gopalganj.
5. The Secretary Teacher Employment Unit-cum-Block Development Officer, Baikunthpur, District- Gopalganj.
6. The Member-cum-Block Education Officer, Baikunthpur, District- Gopalganj.

... .. Respondent/s





with
Letters Patent Appeal No. 371 of 2025
In
Civil Writ Jurisdiction Case No.9062 of 2024

Ramita Kumari Wife of Sri Manoj Kumar, Resident of Village- Basantpur,
PS- Basantpur, District- Siwan.

... .. Appellant/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Education Department, Government of Bihar, Patna.
3. The District Magistrate, Siwan.
4. The District Education Officer, Siwan.
5. The District Programme Officer (Establishment), Siwan.
6. The Block Development Officer, Bhagwanpur Hat, District- Siwan.
7. The Block Education Officer, Block- Bhagwanpur Hat, District- Siwan.
8. The Panchayat Secretary, Gram Panchayat, Rajapur, Bhagwanpur Hat, District- Siwan.
9. Headmaster, New Primary School, Banbey Chourauli, Block- Bhagwanpur Hat, District- Siwan.

... .. Respondent/s

with
Letters Patent Appeal No. 372 of 2025
In
Civil Writ Jurisdiction Case No.9061 of 2024

Prem Prakash Dubey Son of Atma Nand Dubey, resident of Village- Nagwa,
P.O.- Charauli, P.S.-Bhagwanpur Hat, District- Siwan.

... .. Appellant/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Education Department, Government of Bihar, Patna.
3. The District Magistrate, Siwan.
4. The District Education Officer, Siwan.
5. The District Programme Officer (Establishment), Siwan.
6. The Block Development Officer, Bhagwanpur Hat, District- Siwan.
7. The Block Education Officer, Block- Bhagwanpur Hat, District- Siwan.
8. The Block Panchayati Raj Officer-cum-Executive Officer, Panchayat Samiti,





Bhagwanpur Hat, District- Siwan.

9. Headmaster, Utkramit Madhya Vidyalaya, Chaugethiya, P.S. and Block-Bhagwanpur Hat, District- Siwan.

... .. Respondent/s

with
Letters Patent Appeal No. 373 of 2025
In
Civil Writ Jurisdiction Case No.1120 of 2023

Meera Kumari @ Mira Kumari Daughter of Krishna Pandit Resident of Village-Harpur Tegarahi, P.S.- Mahammadpur, District-Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna.
4. The District Education Officer, Gopalganj.
5. The District Programme Officer (Establishment), Gopalganj.
6. The Panchayat Secretary, Gram Panchayat Raj, Kashi Tegarahi, Block and P.S.- Sidhwaliya, District- Gopalganj.
7. The Mukhiya-cum-Chairman of Panchayat Employment Committee, Gram Panchayat Raj, Kashi Tegarahi, Block and P.S.- Sidhwaliya, District-Gopalganj.

... .. Respondent/s

with
Letters Patent Appeal No. 374 of 2025
In
Civil Writ Jurisdiction Case No.1124 of 2023

Arjun Kumar Thakur Son of Sri Bikrama Thakur Resident of Village-Usri Mahalmunj, P.O.- Paharpur, P.S.- Baikunthpur, District- Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
2. The District Education Officer, Gopalganj.
3. The District Programme Officer (Establishment), Gopalganj.
4. The Block Development Officer, Baikunthpur, P.O. and P.S.-Baikunthpur, District-Gopalganj.





5. The Block Education Officer, Baikunthpur, P.O. and P.S.-Baikunthpur, District-Gopalganj.
6. The Mukhiya-Cum-Chairman, Panchayat Teachers Employment Committee, Gram Panchayat Raj, Dighwa South, Block and P.S.-Baikunthpur, District-Gopalganj.
7. The Panchayat Secretary, Gram Panchayat Raj, Dighwa South, Block and P.S.-Baikunthpur, District-Gopalganj.

.. ... Respondent/s

with
Letters Patent Appeal No. 376 of 2025
In
Civil Writ Jurisdiction Case No.12923 of 2022

Noorain Son of Late Md. Eakabal, Resident of Village- Vishunpura, P.S.- Sidhwaliya, District- Gopalganj.

... ... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary now the Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
2. The Principal Secretary now the Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna.
4. The District Education Officer, Gopalganj.
5. The District Programme Officer (Establishment), Gopalganj.

... ... Respondent/s

with
Letters Patent Appeal No. 377 of 2025
In
Civil Writ Jurisdiction Case No.17728 of 2022

Sujit Kumar Singh son of Sri Nagendra Singh, Resident of Village- Mahammadpur, P.O.- Tekhniwas, P.S.- Mahammadpur, District- Gopalganj.

... ... Appellant/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
2. The District Education Officer, Gopalganj.
3. The District Programme Officer (Establishment), Gopalganj.
4. The Block Development Officer, Barauli, P.O. and P.S - Barauli, District - Gopalganj.
5. The Block Education Officer, Barauli, P.O. and P.S. - Barauli, District - Gopalganj.





6. The Mukhiya-cum-Chairman, Panchayat Teachers Employment Committee, Gram Panchayat Raj, Kahla, Block and P.S. - Barauli, District - Gopalganj.
7. The Panchayat Secretary, Gram Panchayat Raj, Kahla, Block and P.S. - Barauli, District - Gopalganj.

... .. Respondent/s

with
Letters Patent Appeal No. 379 of 2025
In
Civil Writ Jurisdiction Case No.908 of 2023

Kameshwar Prasad Yadav Son of Sri Bangali Ray, Resident of Village- Mahrani,, P.O.- Dighwar Dubauli, P.S. Mahammadpur, District- Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt of Bihar, New Secretariat, Patna.
2. The District Education Officer, Gopalganj.
3. The District Programme Officer (Establishment), Gopalganj.
4. The Block Development Officer, Baikunthpur, P.O. and P.S.- Baikunthpur, District- Gopalganj.
5. The Block Education Officer, Baikunthpur, P.O. and P.S.- Baikunthpur, District- Gopalganj.
6. The Mukhiya-cum-Chairman, Panchayat Teachers Employment Committee, Gram Panchayat Raj, Ajabinagar, Block and P.S.- Baikunthpur, District- Gopalganj.
7. The Panchayat Secretary, Gram Panchayat Raj, Ajabinagar, Block and P.S.- Baikunthpur, District- Gopalganj.

... .. Respondent/s

with
Letters Patent Appeal No. 382 of 2025
In
Civil Writ Jurisdiction Case No.17762 of 2023

Babita Kumari Wife of Shri Rajesh Thakur @ Rajesh Singh Resident of Village- Mairi Makhsusdpur, Post Office- Chakia, Police Station - Bhagwanpur Hat, District Siwan. At Present Posted and Working as a Panchayat Teacher in Govt. Primary School Mairi Makhsuspur, Anchal - Bhagwanpur Hat, District- Siwan.

... .. Appellant/s

Versus

1. The State of Bihar through Principle Secretary, Revenue and Land Reforms, Govt. of Bihar.





2. The Additional Chief Secretary-Cum-Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Education Department Bihar, Patna.
4. The District Magistrate, Siwan.
5. The District Education Officer, Siwan.
6. The District Programme Officer (Establishment) Education, Siwan.
7. The Block Development Officer, (Establishment) Education, Siwan.
8. The Block Education Officer, Block - Bhagwanpur Hat, District - Siwan.
9. That Panchayat Secretary, Gram Panchayat Raj Balha Eraji, Anchal Bhagwanpur Hat, District- Siwan.

... .. Respondent/s

with
Letters Patent Appeal No. 385 of 2025
In
Civil Writ Jurisdiction Case No.4496 of 2024

Anchal Kumari Wife of Shri Raju Yadav @ Raju Kumar Yadav, Resident of Village-Markan, Post Office-Markan, Police Station - Hussainganj, District-Siwan. At present posted and working as a Panchayat Teacher in Govt. Primary School Korara Sahwazpur, Anchal- Hussainganj, District- Siwan

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Additional Chief Secretary -cum- the Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Magistrate, Siwan.
5. The District Education Officer, Siwan.
6. The District Programme Officer (Establishment) Siwan.
7. The Block Development Officer, Hussainganj, Siwan.
8. The Block Education Officer, Hussainganj, Siwan.
9. The Block Panchayati Raj Officer, Hussainganj, Siwan.
10. The Panchayat Secretary, Gram Panchayat Raj Habibganj, Anchal - Hussainganj, District - Siwan.

... .. Respondent/s

with
Letters Patent Appeal No. 386 of 2025
In
Civil Writ Jurisdiction Case No.13526 of 2023





1. Sharwan Kumar S/o Biadya Narayan Prasad Resident of Village - Sumaka, P.S. Chandi, District- Nalanda, Presently Posted as Primary School, Sirnawan, Block - Chandi, District- Nalanda.
2. Indrajeet Kumar S/o Etwari Prasad R/o Village and P.O. Kauri, P.S. - Noorsarai, District- Nalanda, Presently posted as Primary School, Sirnawan, Block - Chandi, Nalanda.
3. Arbind Kumar S/o Nandu Singh Yadav, R/o Village Porajeet, P.O. - Sirnawan, P.S. Bena, District Nalanda, Presently posted at Primary School, Porajeet, Block- Chandi, District- Nalanda.
4. Sintu Kumar S/o Kishori Prasad R/o Village, P.O. - Pilich, P.S. - Parwalpur, District Nalanda, Primary School, Sirnawan Block- Chandi, Nalanda.
5. Mithilesh Kumar S/o Ramprit Prasad R/o Village and P.O. - Sirnawan, P.S. Ben District Nalanda, Primary School, Porajeet Block- Chandi, Nalanda.

... .. Appellant/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Govt. of Bihar, Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna.
4. The District Education Officer, Nalanda.
5. The District Programme Officer (Estb.), Nalanda.
6. Block Development Officer, Chandi, District- Nalanda.
7. The Block Education Officer, Chandi, P.O. and P.S. Chandi, District- Nalanda.
8. The Panchayat Secretary, Gram Panchayat Raj, Sirnawan, Block - Chandi, District- Nalanda.

... .. Respondent/s

with

Letters Patent Appeal No. 388 of 2025

In

Civil Writ Jurisdiction Case No.16458 of 2023

Mamta Kumari @ Mamata Kumari Wife of Sri Yogendra Kumar, Resident of Sri Ram Nagar, Hajiyapur, Ward No. 26, P.S. - Gopalganj Town, District- Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
2. The District Education Officer, Gopalganj.
3. The District Programme Officer (Establishment), Gopalganj.
4. The Block Panchayati Raj Officer, Phulwariya, P.O. and P.S. - Phulwariya,





District- Gopalganj.

5. The Block Education Officer, Phulwariya, P.O. and P.S. Phulwariya, District- Gopalganj.
6. The Mukhiya-cum-Chairman, Panchayat Employment Committee, Gram Panchayat Raj, Churamanchak, P.O. and P.S. - Phulwariya, District- Gopalganj.
7. The Panchayat Secretary, Gram Panchayat Raj, Churamanchak, P.O. and P.S. - Phulwariya, District- Gopalganj.

... .. Respondent/s

with
Letters Patent Appeal No. 389 of 2025
In
Civil Writ Jurisdiction Case No.3883 of 2024

Ganesh Kumar Singh S/o Dwarika Nath Singh, R/o Village- Dharmbari, P.S. - Baikunthpur, District- Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, New Secretariate, Patna.
2. That Appellate Authority through its Chairman Education Department SC-D Niyogan Bhawan, Baley Road Patna.
3. The District Education Officer, Gopalganj.
4. The District Programme Officer,(establishment) Gopalganj, Education Department, District- Gopalganj.
5. The Block Education Officer, Baikunthpur, District- Gopalganj.

... .. Respondent/s

with
Letters Patent Appeal No. 391 of 2025
In
Civil Writ Jurisdiction Case No.10955 of 2022

Sunil Kumar Yadav Son of Sri Yogendra Chaudhary, Resident of Village Sahebganj, Derwa, P.O. - Sonagarhwa, P.S. - Gopalpur, District- Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Director, Primary Education, Government of Bihar, New Secretariat, Patna.
2. The Director, Primary Education, Government of Bihar, New Secretariat, Patna.
3. The District Education Officer, Gopalganj.
4. The District Programme Officer (Establishment), Gopalganj.
5. The Block Employment Unit, Panchdewari through its Member Secretary the Block Development Officer, Panchdewari, P.O. and P.S. - Panchdewari,





District- Gopalganj.

6. The Block Education Officer, Panchdewari, P.O. and P.S. - Panchdewari,
District- Gopalganj.

... .. Respondent/s

with

Letters Patent Appeal No. 396 of 2025

In

Civil Writ Jurisdiction Case No.1116 of 2023

Kumari Anamika Singh Daughter of Yogendra Singh Resident of Village-
Bijulpur, P.S. - Baikunthpur, District- Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education
Department, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar,
Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna.
4. The District Education Officer, Gopalganj.
5. The District Programme Officer (Establishment), Gopalganj.
6. The Panchayat Secretary, Gram Panchayat Raj, Sirisiya, Block and P.S.
Kuchaikote, District- Gopalganj.
7. The Mukhiya, Gram Panchayat Raj, Sirisiya, Block and P.S. - Kuchaikote,
District- Gopalganj.

... .. Respondent/s

with

Letters Patent Appeal No. 397 of 2025

In

Civil Writ Jurisdiction Case No.3718 of 2024

Rajesh Kumar Singh Son of Sri Nawal Kishore Singh, Resident of Village -
Chamanpura, P.O. - Chamanpura, District- Gopalganj, worked as Block
Teacher, Upgraded Middle School, Pyarepur, Block - Baikunthpur, District-
Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Director, Primary Education, Govt. of Bihar,
New Secretariat, Patna.
2. The District Education Officer, Gopalganj.
3. The District Programme Officer (Establishment), Gopalganj.
4. The Block Development Officer-cum-Secretary, Block Teacher Employment
Unit, Baikunthpur, P.O. and P.S. - Baikunthpur, District- Gopalganj.
5. The Block Education Officer, Baikunthpur, P.O. and P.S.- Baikunthpur,
District- Gopalganj.





... .. Respondent/s

with
Letters Patent Appeal No. 406 of 2025
In
Civil Writ Jurisdiction Case No.15450 of 2022

Kanhaiya Kumar Paswan @ Kanhaiya Kumar Pasban Son of Munshi Paswan
Resident of Village-Dularpur P.S. Fulawariya District-Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Education, Govt. of Bihar, Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna.
4. The District Education Officer, Gopalganj.
5. The District Programme Officer (Est), Gopalganj.
6. The Panchayat Secretary, Gram Panchayat Raj-Virndaban, District - Gopalganj.
7. The Mukhiya Gram Panchayat Majhikha Kala, Block- Fulwariya, District - Gopalganj.
8. The Block Development Officer Fulwariya, District - Gopalganj.
9. The Block Education Officer Fulwariya, District -Gopalganj.

... .. Respondent/s

with
Letters Patent Appeal No. 415 of 2025
In
Civil Writ Jurisdiction Case No.1037 of 2023

Kiran Kumari D/o of Uma Manjhi Resident of Village-Bhendiya, P.S.-Thawe,
District-Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Education Officer, Gopalganj.
5. The District Programme Officer (Estab), Gopalganj
6. The Block Development Officer, Gopalganj
7. The Block Education Officer, Gopalganj
8. The Mukhiya, Gram Panchayat Raj, Chauram, Gopalganj.
9. The Panchayat Secretary, Gram Panchayat Raj, Chauram, Gopalganj.





... .. Respondent/s

with
Letters Patent Appeal No. 420 of 2025
In
Civil Writ Jurisdiction Case No.15766 of 2022

Amire Azam Son of Master Aainuddin, Resident of Village - Alampur, P.O. - Mahamadpur, P.S. - Jamo Bazar, District- Siwan.

... .. Appellant/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
3. The District Education Officer, Gopalganj.
4. The District Programme Officer (Establishment), Gopalganj.
5. The Block Development Officer, Uchhakagaon, District- Gopalganj.
6. The Block Education Officer, Uchhakagaon, District- Gopalganj.
7. The Mukhiya, Gram Panchayat Raj, Dahibhata, Block- Uchhakagaon, District- Gopalganj.
8. The Panchayat Secretary, Gram Panchayat Dahibhata, District- Gopalganj.

... .. Respondent/s

with
Letters Patent Appeal No. 428 of 2025
In
Civil Writ Jurisdiction Case No.15093 of 2022

Vyas Kumar Singh Son of Jaleshwar Singh, Resident of Village- Khajuriya, P.S. - Sidhwaliya, District- Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Education, Govt. of Bihar Patna.
3. The Director, Primary Education, Education Department, Govt. of Bihar, Patna.
4. The District Education Officer, Gopalganj.
5. The District Programme Officer (Estb), Gopalganj, Bihar.
6. Gram Panchayat Raj, Dumar Narendra, Sidhawaliya, Gopalganj.
7. The Mukhiya-cum-Chairman, Niyojan Unit, Gram Panchayat Raj, Dumar Narendra, Gopalganj.
8. The Panchayat Secretary, Niyojan Unit, Gram Panchayat Raj, Dumar Narendra, Gopalganj.

... .. Respondent/s





with
Letters Patent Appeal No. 429 of 2025
In
Civil Writ Jurisdiction Case No.18315 of 2023

Fulmati Shaw D/o Ram Nagina Shaw, Resident of Village- Shahpur Hata Tola
P.O. and P.S. Gopalpur, District - Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Education Deptt. Govt. of Bihar, Patna.
2. District Magistrate, District- Gopalganj.
3. Director, Primary Education, Govt. of Bihar, Patna.
4. District Education Officer, District- Gopalganj.
5. District Programme Officer (Establishment), District- Gopalganj.
6. The Block Education Officer, Kuchaikot, District- Gopalganj.
7. The Panchayat Secretary-cum-Secretary Employment Unit Gram Panchayat Bankatta, Kuchaikot, District- Gopalganj.

... .. Respondent/s

with
Letters Patent Appeal No. 504 of 2025
In
Civil Writ Jurisdiction Case No.3103 of 2024

Anil Kumar Srivastva Son of Late Laxman Prasad @ Laxuman Prasad
Resident of Village - Bhagwanpur, P.S. - Thawe, District- Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary, Education, Government of Bihar, Patna.
4. The District Education Officer, Gopalganj.
5. The District Programme Officer (Establishment), Gopalganj.
6. The Block Education Officer, Barauli, District Gopalganj.
7. The Panchayat Secretary, Gram Panchayat, Devapur, Barauli, District - Gopalganj.

... .. Respondent/s

with
Letters Patent Appeal No. 521 of 2025
In
Civil Writ Jurisdiction Case No.12183 of 2024





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Pintu Kumar Rai Son of Bashishth Rai Resident of Village-Sher, P.S.-
Sidhwaliya, District-Gopalganj, Bihar.

... .. Appellant/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Education, Department, Government of Bihar, Patna. Patna.
4. The District Education Officer, Gopalganj.
5. The District Programme Officer (Establishment), Gopalganj.
6. The Block Education Officer, Barauli, Gopalganj.
7. The Panchayat Secretary, Gram Panchayat, Sonbarsa, Barauli, Gopalganj.
8. The Mukhiya-Cum-Chairman, Panchayat Employment Committee, Barauli, Gopalganj.

... .. Respondent/s

=====

with

Letters Patent Appeal No. 601 of 2025

In

Civil Writ Jurisdiction Case No.335 of 2022

=====

Sant Kumar Prasad Son of Ram Ayodhya Prasad, Resident of Village-
Nipaniya, P.O.- Salempur, P.S.- Isuapur, District- Saran at Chapra.

... .. Appellant/s

Versus

1. The State of Bihar through the Additional Chief Secretary. Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Education Department, Government of Bihar, Patna.
3. The District Magistrate, Saran at Chapra, District - Saran at Chapra.
4. The District Education Officer, Saran at Chapra, District Saran at Chapra.
5. The District Programme Officer (Establishment), Saran at Chapra, District - Saran at Chapra.
6. The Block Development Officer, Isuapur Block, District -Saran at Chapra.
7. The Block Education Officer, Isuapur Block, District Saran at Chapra.
8. The Mukhiya, Gram Panchayat Raj, Nipaniya, Block Isuapur, District - Saran at Chapra.
9. The Panchayat Secretary, Gram Panchayat Raj, Nipaniya, Block - Isuapur, District - Saran at Chapra.

... .. Respondent/s

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Appearance :





(In Letters Patent Appeal No. 315 of 2025)

For the Appellant/s : Mr. Y.V. Giri, Sr. Adv.
Ms. Shrishti Singh, Adv.
Mr. Pranav Kumar, Adv.
For the Respondent/s : Mr. Pratik Kumar Sinha, AC to GA-V
Mr. Ajay, Advocate
Ms. Nivedita Choudhary, Adv.

(In Letters Patent Appeal No. 287 of 2025)

For the Appellant/s : Mr. Abhinav Shrivastava, Sr. Adv.
Mr. Akshat Kumar, Adv.
Ms. Shreyashi Raj, Adv.
Mr. Pushkar Bhardwaj, Adv.
For the Respondent/s : Mr. Sarvesh Kumar Singh, AAG-13
Mr. Tej Pratap Singh, AC to AAG-13
Mr. Abhinav Alok, AC to AAG-13

(In Letters Patent Appeal No. 288 of 2025)

For the Appellant/s : Mr. Abhinav Shrivastava, Sr. Adv.
Mr. Akshat Kumar, Adv.
Ms. Shreyashi Raj, Adv.
Mr. Pushkar Bhardwaj, Adv.
For the Respondent/s : Mr. Addl. Advocate General (13)

(In Letters Patent Appeal No. 293 of 2025)

For the Appellant/s : Mr. Mrigank Mauli, Sr. Adv.
Mr. Satyam Shivam Sundaram, Adv.
Mr. Ankit, Adv.
Mr. Aman Kumar, Adv.
Mr. Shambhu Sharan Kumar, Adv.
For the Respondent/s : Mr. Addl. Advocate General (13)

(In Letters Patent Appeal No. 294 of 2025)

For the Appellant/s : Mr. Ankit, Adv.
For the Respondent/s : Mr. Addl. Advocate General (13)

(In Letters Patent Appeal No. 297 of 2025)

For the Appellant/s : Mr. Ankit, Adv.
For the Respondent/s : Mr. Additional Advocate General (13)

(In Letters Patent Appeal No. 301 of 2025)

For the Appellant/s : Mr. Ankit, Adv.
For the Respondent/s : Mr. Additional Advocate General (13)

(In Letters Patent Appeal No. 302 of 2025)

For the Appellant/s : Mr. Ankit, Adv.
For the Respondent/s : Mr. Additional Advocate General (13)

(In Letters Patent Appeal No. 303 of 2025)

For the Appellant/s : Mr. Ankit, Adv.
For the Respondent/s : Mr. Additional Advocate General (13)

(In Letters Patent Appeal No. 308 of 2025)

For the Appellant/s : Mr. Ankit, Adv.
For the Respondent/s : Mr. Addl. Advocate General (13)

(In Letters Patent Appeal No. 310 of 2025)

For the Appellant/s : Mr. Ankit, Adv.
For the Respondent/s : Mr. Addl. Advocate General (13)

(In Letters Patent Appeal No. 314 of 2025)





For the Appellant/s : Mr. Umesh Kumar Mishra, Adv.
For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 316 of 2025)
For the Appellant/s : Mr. Umesh Kumar Mishra, Adv.
For the Respondent/s : Mr. Advocate General
(In Letters Patent Appeal No. 327 of 2025)
For the Appellant/s : Mr. Bipin Bihari Singh, Adv.
Mr. Shyama Kant Singh, Adv.
For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 330 of 2025)
For the Appellant/s : Mr. Bipin Bihari Singh, Adv.
Mr. Shyama Kant Singh, Adv.
For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 342 of 2025)
For the Appellant/s : Mr. Bipin Bihari Singh, Adv.
Mr. Shyama Kant Singh, Adv.
For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 344 of 2025)
For the Appellant/s : Mr. Bipin Bihari Singh, Adv.
For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 346 of 2025)
For the Appellant/s : Mr. Bipin Bihari Singh, Adv.
Mr. Shyama Kant Singh, Adv.
For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 347 of 2025)
For the Appellant/s : Mr. Bipin Bihari Singh, Adv.
Mr. Shyama Kant Singh, Adv.
For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 350 of 2025)
For the Appellant/s : Mr. Umesh Kumar Mishra, Adv.
For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 351 of 2025)
For the Appellant/s : Mr. Bipin Bihari Singh, Adv.
Mr. Shyama Kant Singh, Adv.
For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 352 of 2025)
For the Appellant/s : Mr. Umesh Kumar Mishra, Adv.
For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 353 of 2025)
For the Appellant/s : Mr. Umesh Kumar Mishra, Adv.
For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 354 of 2025)
For the Appellant/s : Mr. Chandra Shekhar Singh, Adv.
Mr. Bhuneshwar Pandey, Adv.
For the Respondent/s : Mr. Addl. Advocate General (13)
(In Letters Patent Appeal No. 357 of 2025)
For the Appellant/s : Mr. Bipin Bihari Singh, Adv.
Mr. Shyama Kant Singh, Adv.
For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 358 of 2025)





For the Appellant/s : Mr. Chandra Shekhar Singh, Adv.
Mr. Bhuneshwar Pandey, Adv.

For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 359 of 2025)

For the Appellant/s : Mr. Bipin Bihari Singh, Adv.
Mr. Shyama Kant Singh, Adv.

For the Respondent/s : Mr. Addl. Advocate General (13)
(In Letters Patent Appeal No. 362 of 2025)

For the Appellant/s : Mr. Bipin Bihari Singh, Adv.
Mr. Shyama Kant Singh, Adv.

For the Respondent/s : Mr. Addl. Advocate General (13)
(In Letters Patent Appeal No. 364 of 2025)

For the Appellant/s : Mr. Bipin Bihari Singh, Adv.

For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 365 of 2025)

For the Appellant/s : Mr. Bipin Bihari Singh, Adv.
Mr. Shyama Kant Singh, Adv.

For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 367 of 2025)

For the Appellant/s : Mr. Umesh Kumar Mishra, Adv.

For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 369 of 2025)

For the Appellant/s : Mr. Chandra Bhushan Verma, Adv.

For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 370 of 2025)

For the Appellant/s : Mr. Dhananjay Kumar Tiwary, Adv.

For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 371 of 2025)

For the Appellant/s : Mr. Krishna Kant Singh, Adv.
Mr. Kundan Kumar, Advocate
Mr. Kumar Shaswat Anand, Advocate

For the Respondent/s : Mr.
(In Letters Patent Appeal No. 372 of 2025)

For the Appellant/s : Mr. Krishna Kant Singh, Adv.
Mr. Kundan Kumar, Advocate
Mr. Kumar Shaswat Anand, Advocate
Mr. Shivesh Kumar Singh, Advocate

For the Respondent/s : Mr.
(In Letters Patent Appeal No. 373 of 2025)

For the Appellant/s : Mr. Bipin Bihari Singh, Adv.
Mr. Shyama Kant Singh, Adv.

For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 374 of 2025)

For the Appellant/s : Mr. Bipin Bihari Singh, Adv.
Mr. Shyama Kant Singh, Adv.

For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 376 of 2025)

For the Appellant/s : Mr. Bipin Bihari Singh, Adv.
Mr. Shyama Kant Singh, Adv.

For the Respondent/s : Mr. Additional Advocate General (13)





(In Letters Patent Appeal No. 377 of 2025)

For the Appellant/s : Mr. Satyabir Bharti, Sr. Adv.
Mr. Abhishek Anand, Adv.
Ms. Aasiha Prakash, Adv.
Ms. Kanupriya, Adv.
Mr. Bipin Bihari Singh, Adv.
Mr. Shyama Kant Singh, Adv.

For the Respondent/s : Mr. Additional Advocate General (13)

(In Letters Patent Appeal No. 379 of 2025)

For the Appellant/s : Mr. Bipin Bihari Singh, Adv.
Mr. Shyama Kant Singh, Adv.

For the Respondent/s : Mr. Additional Advocate General (13)

(In Letters Patent Appeal No. 382 of 2025)

For the Appellant/s : Mr. Ranjan Kumar Dubey, Adv.
Mr. Kumar Gaurav, Adv.
Ms. Sheshadri Kumar, Adv.
Mr. Shashank Kashyap, Adv.
Mr. Nawnit Kumar Tiwary, Adv.

For the Respondent/s : Mr. Arun Kumar Bhagat, AC to AAG-12

(In Letters Patent Appeal No. 385 of 2025)

For the Appellant/s : Mr. Umesh Kumar Mishra, Adv.

For the Respondent/s : Mr. Addl. Advocate General (13)

(In Letters Patent Appeal No. 386 of 2025)

For the Appellant/s : Mr. Bipin Bihari Singh, Adv.
Mr. Shyama Kant Singh, Adv.

For the Respondent/s : Mr. AAG 13

(In Letters Patent Appeal No. 388 of 2025)

For the Appellant/s : Mr. Bipin Bihari Singh, Adv.
Mr. Shyama Kant Singh, Adv.

For the Respondent/s : Mr. AAG 13

(In Letters Patent Appeal No. 389 of 2025)

For the Appellant/s : Mr. Alok Ranjan, Adv.

For the Respondent/s : Mr. Additional Advocate General (13)

(In Letters Patent Appeal No. 391 of 2025)

For the Appellant/s : Mr. Bipin Bihari Singh, Adv.
Mr. Shyama Kant Singh, Adv.

For the Respondent/s : Mr. Additional Advocate General (13)

(In Letters Patent Appeal No. 396 of 2025)

For the Appellant/s : Mr. Bipin Bihari Singh, Adv.
Mr. Shyama Kant Singh, Adv.

For the Respondent/s : Mr. Addl. Advocate General (13)

(In Letters Patent Appeal No. 397 of 2025)

For the Appellant/s : Mr. Shyama Kant Singh, Adv.
Mr. Bipin Bihari Singh, Adv.

For the Respondent/s : Mr. AAG 13

(In Letters Patent Appeal No. 406 of 2025)

For the Appellant/s : Mr. Prabhakar Singh, Adv.
Mr. Prabhakar Singh, Adv.
Ms. Shambhavi Singh, Adv.
Mr. Harsh Pratap Yadav, Adv.





For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 415 of 2025)
For the Appellant/s : Mr. Ankit, Adv.
For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 420 of 2025)
For the Appellant/s : Mr. Ankit, Adv.
For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 428 of 2025)
For the Appellant/s : Mr. Prabhakar Singh, Adv.
Ms. Shambhavi Singh, Adv.
Mr. Harsh Pratap Yadav, Adv.
For the Respondent/s : Mr. Addl. Advocate General (13)
(In Letters Patent Appeal No. 429 of 2025)
For the Appellant/s : Mr. Prabhakar Singh, Adv.
Ms. Shambhavi Singh, Adv.
Mr. Harsh Pratap Yadav, Adv.
For the Respondent/s : Mr. Addl. Advocate General (13)
(In Letters Patent Appeal No. 504 of 2025)
For the Appellant/s : Mr. Ankit, Adv.
For the Respondent/s : Mr. Additional Advocate General (13)
(In Letters Patent Appeal No. 521 of 2025)
For the Appellant/s : Mr. Ankit, Adv.
For the Respondent/s : Mr. Advocate General
(In Letters Patent Appeal No. 601 of 2025)
For the Appellant/s : Mr. Rakesh Ranjan, Adv.
For the Respondent/s : Mr. Additional Advocate General (13)

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
CAV JUDGMENT
(Per: HONOURABLE MR. JUSTICE HARISH KUMAR)

Date : 24-04-2026

We have meticulously heard the learned Senior Advocates and Advocates appearing in this batch of the appeals on behalf of the respective parties.

2. Considering the fact that in all the intra court appeals, challenge has been led to the judgment dated 07.03.2025 passed by a learned Single Judge of this Court in cluster of writ petitions, being C.W.J.C. No. 16170 of 2022 and





other analogous cases, with the consent of the parties, the same have been taken up together and being disposed of by this common judgment/order.

3. For better appreciation of the issues involved in this batch of the appeals, this Court deems it apt and proper to give the short facts of the cases, which in sum and substance, are similar and duly narrated in the impugned judgment/order; which led to filing of the present Letters Patent Appeals before this Court.

4. The writ petitioners-appellants herein were the candidates for the post of Panchayat Teacher/Prakhand Teacher under the Bihar Panchayat Primary Teacher (Recruitment and Service Conditions) Rules, 2006 and its amended Rules, 2008. Having found eligible, the appellants had applied for the post of Panchayat Teacher/Prakhand Teacher in the year 2006 and some of them in the year 2008, during the 1st and 2nd phase of the appointment process. The name of the appellants were duly included in the merit list and called upon for counselling. However, after the final selection process, these appellants were not appointed to the said post.

5. Subsequently, certain selected candidates either resigned or voluntarily vacated the post after serving for a few





years in the year 2012 or latter. Upon acquiring knowledge of these vacancies, the writ petitioners-appellants approached the District Appellate Authorities, in the year 2016 and 2017, seeking their appointment against the said posts. Considering the grievances of the writ petitioners-appellants and the submissions made by the Panchayat Secretaries, the District Appellate Authorities allowed the appeals in their favour. In pursuance of the orders of the District Appellate Authorities, finally their cases were duly considered by the respondent Employment Units and accordingly their appointments were facilitated on the post of Panchayat Teachers/Prakhand Teachers within their respective districts.

6. In the aforesaid premise, all the writ petitioners-appellants submitted their consent letters and assumed charge at the designated schools. However, despite submissions of their joining on the said post, they were not allowed salaries. Consequently, the number of the petitioners approached this Court by filing various writ petitions in the year ranging from 2022 to 2024. Upon adjudication of these matters, the Court allowed the writ petitions, directing the competent authorities to verify the claims of the petitioners and ensure the disbursement of their salaries accordingly.





7. The respondent State authorities having come to know about the appointment of the writ petitioners and faced with the orders of the different Benches of this Court approached the State Appellate Authority, challenging the orders passed by the District Appellate Authorities. The writ petitioners were noticed and upon adjudication, the State Appellate Authority finally allowed the appeals filed by respondent State authorities, thereby setting aside the appointment of the writ petitioners with retrospective effect from their respective dates of appointment and the District Education Officers of the concerned districts were directed to recover all payments disbursed to the writ petitioners.

8. Aggrieved with the orders of the State Appellate Authority passed in identical manner and fashion, the writ petitioners have challenged those orders in different writ petitions before this Court.

9. The learned Single Judge considering the common question of facts and law involved in all the writ petitions heard the matters analogously and disposed of the same by a common judgment/order dated 07.03.2025 passed in C.W.J.C. No. 16170 of 2022 and other analogous cases, which is questioned before this Court by filing the present intra Court





appeals.

10. The learned Single Judge after having tendered due consideration to the submissions of the respective parties and taking note of the materials available on record culled out the points for consideration, inter alia, as follows:

“(i) Whether the District Appellate Authorities have the power to pass an order regarding appointments against the vacancies from the first phase held in 2006, which were later carried forward to the second phase in 2008 and concluded in December 2010, and if so, whether an appointment made by the authorities after the closure of the first and second phase appointments remains valid?

(ii) Whether the delay in filing of case by the petitioners before the District Appellate Authorities, as well as the delay by the District Programme Officers in appealing against the order of the District Appellate Authorities without providing a satisfactory reason before the District Appellate Authorities and the State Appellate Authority, respectively, can be condoned?

(iii) Whether the District Appellate Authorities, while passing its order, failed to appreciate and consider Letter No. 465 dated 09.07.2012 issued by the Principal Secretary of the Education Department?”





11. To answer the 1st point framed hereinabove, the learned Single Judge highlighting the law laid down by the Hon'ble Supreme Court in the case of *State of Orissa Vs. Rajkishore Nanda, (2010) 6 SCC 777*, *State of Punjab Vs. Raghubir Chand Sharma, (2002) 1 SCC 113*, as also the order passed by the learned Division Bench of this Court in *L.P.A. No. 1398 of 2013* and the order of a learned coordinate Bench of this Court passed in *C.W.J.C. No. 7481 of 2014* opined that the recruitment process for the first phase and second phase of 2006 and 2008 appointment was conclusively completed by the year 2010 and the writ petitioners in the batch of the cases were applicants in the first and second phase of recruitment for the said post, hence any vacancies that arose in the 2012 or later on would be categorized as future vacancies and could not be considered under the concluded phases of recruitment process. Allowing the petitioners' claims by the District Appellate Authorities, held to be in direct contravention of the settled legal principles laid down in the above referred cases; accordingly, the order of the District Appellate Authorities have been found to be in violation of Articles 14 and 16 of the Constitution of India, rendering them legally unsustainable."

12. The learned Single Judge further went to hold





that the authorities would have arbitrarily excluded other eligible candidates based on a mere presumption that either they were disinterested in employment or they had forfeited their rights by not approaching the District Appellate Authorities. Such an approach would be manifestly unjust and in violation of the principles enshrined under Articles 14 and 16 of the Constitution of India.

13. Furthermore, in case the District Appellate Authorities had found merit in the claim of the petitioners', the matter ought to have been referred to the Employment Committee, which is vested with the power to make such appointments. Failure to adhere to this legal procedural requirement renders the decision of the District Appellate Authorities legally unsustainable.

14. The jurisdiction of the District Appellate Authorities have been questioned in view of the prescription of the Rules, 2006 and Rules, 2008, which duly prescribed the Block Development Officer, as the competent authority to adjudicate the complaints.

15. Answering the point no.(ii), the learned Single Judge has held that the writ petitioners inexplicably delayed the filing of their appeals before the District Appellate Authorities





for a period exceeding six to eight years, notwithstanding the facts of the case of the writ petitioners was not one where they were overlooked in favor of another candidate; rather, it pertains to appointments on posts that became vacant in 2012 and later on. The learned Single Judge also observed that in the appeal before the District Appellate Authorities, the petitioners deliberately omitted to implead the District Programme Officer, District Education Officer, and other relevant officials of the Education Department, as necessary parties. This calculated omission resulted into failure to present a comprehensive and accurate account of the matter before the adjudicating authority and thereby directly affected respondent State authorities.

16. In the considered opinion of the Court, the appeals preferred by the petitioners before the District Appellate Authorities is held to be barred by limitation, as they have failed to provide any cogent justification or plausible explanation for the inordinate delay in approaching the District Appellate Authorities. However, with respect to the issue of condonation of delay in filing the appeal before the State Appellate Authority by the respondent State authorities, the learned Single Judge referring to the decision of the Hon'ble Supreme Court in the case of *Collector (Land Acquisition) Vs. Katiji, (1987) 2 SCC*





107 and the guidelines enunciated in the case of *State of Haryana Vs. Chandra Mani, (1996) 3 SCC 132* as well as the judgment of Hon'ble Supreme Court passed in Civil Appeal no. 2474 of 2012, has observed that substantial justice must prevail over technical considerations, and that a pragmatic and just approach should be adopted while dealing with delay in filing the appeals. The learned Single Judge further underscored the mandate of the Hon'ble Supreme Court that no one gets away with fraud, misrepresentation or interpolation by taking recourse to the technicalities of law of limitation and held that appeals filed by the State if stands dismissed on the ground of delay attributable to the default of an officer or employee, the ultimate casualty in such instances is public interest. In public interest, hence some reasonable latitude be extended to the State in the matters where the delay is neither *mala fide* nor indicative of gross negligence. The Court finds that the State Appellate Authority has rightly exercised its discretion in condoning the delay in filing the appeal by the Respondent Authorities.

17. Answering the point no.(iii), the learned Single Judge has been pleased to hold that the District Appellate Authorities failed to consider and apply the directives contained in Letter No. 465 dated 09.07.2012 while rendering its decision.





The said letter issued by the Principal Secretary of the Education Department clearly prescribes that the remaining vacancies upon completion of 1st and 2nd phase of appointment shall be merged with 3rd phase of 2012.

18. After having elaborately responded to the points formulated in the batch of the writ petitions, finally the learned Single Judge upheld the order of the State Appellate Authority and consequently dismissed all the writ petitions and disposed off all the interlocutory applications accordingly.

19. Mr. Y. V. Giri, learned Senior Advocate representing the appellants in L.P.A. No. 315 of 2025 and other analogous cases has submitted with all his vehemence that the learned Single Judge has failed to appreciate that it is not a case wherein the appellants had secured appointment on the basis of any forged certificate or concealment. In absence of any finding that the writ petitioners-appellants any how concealed the materials facts or committed fraud upon the District Appellate Authority or the Employment unit, any finding of the learned Single Judge in this regard is wholly erroneous and baseless. The respondent State authorities had not advanced any sufficient cause in filing the appeals before the State Appellate Authority after inordinate delay of more than six years and in the





meanwhile, the decision of the District Appellate Authority had been duly complied by the Employment unit in the year 2017 itself, hence in any view of the matter, the appeal preferred by the State authorities ought to be dismissed on account of inordinate delay. Reliance has also been placed on a decision rendered in *H. Guruswamy & Ors. Vs. A. Krishnaiah Since Deceased By Lrs., (2025) SCC OnLine SC 54*, where the Hon'ble Supreme Court ruled that while considering the plea for condonation of delay, the court must not start with the merits of the main matter. The court owes a duty to first ascertain the *bona fides* of the explanation offered by the party seeking condonation.

20. Mr. Giri, learned Senior Advocate further argued that the vacancies against which the appellants were appointed had not been carried forward/merged with future vacancies, if that being so, the appellants could not have been appointed by the Employment unit. Moreover, the appointments of the writ petitioners-appellants were made on the basis of the orders of the District Appellate Authorities, who are the competent authority to decide the issues under the statutory rules framed, in exercise of power under Article 309 of the Constitution of India. It is further contended that the learned





Single Judge failed to appreciate that no rival claims were raised against the appointments of the appellants either before the State Appellate Authority or this Court, hence the writ petitioners-appellants, who were possessing proper qualification in terms of the prevailing rules and had been discharging their duties for several years, their appointments should not have been disturbed.

21. Referring to the order passed by the State Appellate Authority, it is further contended that the appellants before the State Appellate Authority were the District Programme Officer (Establishment) and the Block Education Officer, who do not have any *locus standi* to challenge the order of the District Appellate Authority as they were neither the parties to the appeal before the District Appellate Authority nor the relevant Rules recognize them.

22. This Court has also been reminded that the Hon'ble Court not only acts as a Court of law, but also as a Court of equity, and in the present case, the equity lies in favour of the appellants. Mr. Giri, learned Senior Advocate further contended that the order of the State Appellate Authority cannot be allowed to sustain in law, as it exceeded its jurisdiction in directing for retrospective termination of the writ petitioners-





appellants and for recovery of salary already paid to the writ petitioners-appellants against the services rendered by them.

23. Mr. Mrigank Mauli, learned Senior Advocate with Mr. S. S. Sundram, learned Advocate for the appellants in L.P.A. No. 293 of 2025 and other analogous appeals have taken this Court through the order passed by the concerned District Appellate Authority, also the order of the State Appellate Authority and submitted at the Bar that the facts of the case of appellants, on whose behalf they are appearing are different to other. In their cases, in the light of the order of the District Appellate Authority, the employment unit has considered cases of the respective writ petitioners-appellants herein and on being found having requisite qualification in terms with the prevalent rules, they were duly appointed. While reiterating the submissions tendered by learned Senior Advocate Mr. Y. V. Giri, it is further contended that the explanation for condonation of delay of 4-6 years was not sufficient explanation, rather the District Programme Officer (Establishment)/District Education Officer have submitted that the delay has occurred because they recently joined their respective offices. Since the decision of the employment unit was an independent decision, providing fresh cause of action; without there being any challenge by the





employment unit, the cancellation of the appointment of the writ petitioners-appellants at the instance of the District Education Officer/District Programme Officer (Establishment), by the State Appellate Authority amounts to traveling beyond the relief sought for in the appeal preferred by the State authorities. Moreover, the District Programme Officer (Establishment) was neither authorized by the State Government to challenge the order of the District Appellate Authority nor he had the locus to challenge the same on account of the fact that he was not a party before the District Appellate Authority.

24. Mr. Mauli, learned Senior Advocate strenuously argued that the order passed by the State Appellate Authority in absence of a judicial Chairperson is without jurisdiction, as has been held by a Single Bench of this Court in ***Pradip Kumar Yadav & Pradeep Kumar Yadav & others Vs. State of Bihar and Ors.*** (C.W.J.C. No. 17508 of 2021 and other analogous cases). Relying upon the said judgment, a Bench of this Court in the case of ***Shobha Kumari Vs. The State of Bihar and Ors.***, (C.W.J.C. No. 12632 of 2025), ***2025 (4) PLJR 1*** and ***Sonam Kumari Vs. State of Bihar and Ors.*** (C.W.J.C. No. 9257 of 2024) has reiterated the said proposition. It is need to be noted that the aforesaid order passed in ***Shobha Kumari and Sonam***





Kumari (supra) has been authored by one of us (Harish Kumar, J).

25. It is lastly contended that the State Appellate Authority, wrongly recorded that the State authorities were not made party before the District Appellate Authority, rather the Block Selection Committee was a party in which the Block Education Extension Officer and Block Education Officer were the members.

26. Adding further to the submissions recorded hereinabove, Mr. Abhinav Shrivastava, learned Senior Advocate in L.P.A. No. 287 of 2025 and L.P.A. No. 288 of 2025 and other analogous case submitted that the appellants applied for their appointment as Panchayat Teachers in pursuant to the 2nd Phase of selection process initiated in the year 2008, irrespective of their good position in the merit list, they were not declared successful. However, subsequently, when the vacancies have arisen on account of resignation of some of the Panchayat Teachers, they approached before the District Appellate Authority and, accordingly, on being found eligible, in pursuant to the order passed by the District Appellate Authority, Employment Unit issued appointment letters in their favour, hence in any circumstances, the selection of the appellants was





to be governed by the Rules, as were in existence in the year 2008. It is vehemently contended that the admission of the appeal by the State Appellate Authority comprising only of Chairman (Administration), who was a retired officer and in absence of Chairman (Judicial), who happens to be the retired Judge of the High Court, the entire proceeding at the behest of the State authorities, who were not even the party before the District Appellate Authority is wholly unsustainable and without jurisdiction. The entire action and the order of the State Appellate Authority is said to be in contravention of the provisions contained in Rule 4(3) of the Bihar State School Teachers and Employees Disputes Redressal Rules, 2020, hence the impugned orders passed by the State Appellate Authority are liable to be quashed on account of coram non-judice.

27. To support the aforesaid contention, reliance has been placed on the decisions rendered in ***Chief Engineer, Hydel Project & Ors. Vs. Ravinder Nath & Ors., 2008 (2) SCC 350*** and ***Managing Director, Boruka Textiles Ltd. Vs. Kashmiri Rice Industries, (2009) 7 SCC 521*** where the Court in no uncertain term held that judgment and decree passed by a court or tribunal lacking inherent jurisdiction would be a nullity and its invalidity could be set up whenever and wherever it is





sought to be enforced or relied upon, even at the stage of execution and even in collateral proceedings. The defect of jurisdiction strikes at the very authority of the Court to pass any decree, and such a defect cannot be cured even by consent of parties.

28. Representing the appellants in L.P.A. No. 314 of 2025 and other analogous appeals, Mr. Umesh Kumar Mishra, learned Advocate reiterating the above referred submissions further argued that the learned Single Judge while dismissing the writ petition has failed to consider the fact that the appellants had been regularly pursuing their cases for their appointment and finally they approached the District Appellate Authority, when their repeated request has not been acceded. The Education Department, Government of Bihar vide its letter has clarified that the post, which falls vacant after cancellation of appointment of illegally appointed teacher, the District Appellate Authority can direct for filling up of the said vacant post, hence the order of the District Appellate Authority cannot be termed as illegal. The consolidated order passed by the learned Single Judge is not proper, as the facts of each cases are different, which ought to have been considered. The learned Single Judge also failed to appreciate that the cases relied upon





by the appellants in C.W.J.C. No. 277 of 2012 dated 06.01.2012, the Court had directed for appointment of the concerned petitioners therein even in the year 2012. Moreover in C.W.J.C. No. 19754 of 2021 dated 19.09.2022, the order of the learned State Appellate Authority was set aside and the order of the District Appellate Authority has been upheld, which is exactly similar to the employment of the teachers with the case of these petitioners-appellants. He also reiterated the submissions that the Chairman (Administration) has/had no jurisdiction to consider and dispose of the appeal in absence of the Chairman, (Judicial).

29. To buttress the aforesaid submissions, reliance has also been placed on the decision rendered in C.W.J.C. No. 17508 of 2021 (***Pradip Kumar Yadav @ Pradeep Kumar Yadav Vs. The State of Bihar & Ors.***) and other analogous cases.

30. While adopting above referred arguments, learned Advocate representing the appellant in L.P.A. No. 372 of 2025 has submitted that apart from the order of the State Appellate Authority and the order/judgment passed by the learned Single Judge are wholly unsustainable in law, the action of the respondent authorities is *per se* illegal, as they have availed two remedies at a time, as on one hand the State had





filed an application before the District Appellate Authority for review and on the other hand, without withdrawing the same, the order has been challenged before the State Appellate Authority. The application for condonation of delay in filing the appeal before the Appellate Authority also suffers from suppression and wrong facts and moreover the entire process has taken place without giving any proper information to the higher authorities.

31. Learned Advocate for the appellant in L.P.A. No. 429 of 2025 and L.P.A. No. 377 of 2025 further submitted that finding of the learned Single Judge to the effect that the District Appellate Authority lacks jurisdiction and the Block Development Officer was the competent authority to adjudicate the issue is wholly erroneous and unsustainable in law. Letter no. 287 dated 09.04.2010, issued by the Principal Secretary, Education Department clearly provided that all complaints and appeals related to the Teachers Recruitment and Service Condition shall be filed only before the District Appellate Authority, who has been vested with the exclusive jurisdiction to entertain and decide such matter. It is further submitted that letter no. 7 dated 05.07.2010 further clarified that where the appointing authorities were unable to complete the appointment





of selected candidates within time, in such circumstances, the Employment Unit shall complete the process after taking consent of Education Department.

32. Battery of Advocates, appearing in other L.P.As have also adopted the submissions of the learned Senior Advocates/Advocates

33. Mr. Sarvesh Kumar Singh, learned Additional Advocate General-13, Mr. Prateek Kumar, as well as other learned Advocates representing the State respondents in their respective cases have vehemently refuted the contention of the appellants. Dispelling the primary contention of the appellants that the vacancies have arisen consequent upon death and resignation of Panchayat/Block Teachers appointed in 1st and 2nd Phase appointment giving cause of action for getting appointment on the basis of merit list prepared in the year 2007-08 is said to be wholly fallacious and lacks support of law. Consequent upon coming of a new Teachers Appointment Rules, 2012, the Education Department vide its letter no. 465 dated 09.07.2012 clearly stipulated that remaining vacancies upon completion of 2nd phase appointment shall be merged with the 3rd phase of 2012 and, as such, no appointment can be made unless there is a specific dispute pending consideration before





any forum. It is beyond any cavil of doubt that a merit list with regard to appointment and selection for the public post is only for one year and, as such, they do not have cause of action for putting their grievance. [vide *Ali Hossain Mandal & Ors. Vs. West Bengal Board of Primary Education & Ors.*, (2024) 15 SCC 90]. Further reliance has also been placed in the case of *State of Punjab Vs. Raghubir Chand Sharma & Anr.*, AIR 2001 SC 2900 that no candidate can claim that he would have been offered appointment on account of vacancy arose due to resignation or otherwise.

34. Reference has also been made to the decision rendered in the case of *State of Orissa & Anr. Vs Rajkishore Nanda & Ors.*, AIR 2010 SC 2100 where the Court held that If the selection process is over and merit list has expired and appointments had been made, then no relief can be granted. The writ petitioners have approached the District Appellate Authority after a period of 5 to 7 years and that too without any cause of action. Further the appointment was prohibited from the said merit list and no vacant post has to be merged with the 3rd phase appointment of 2012, as per new Rules, 2012.

35. The application or any case filed before the District Appellate Authority was wholly without jurisdiction, as





in respect to the selection and appointment to the post of Panchayat Teachers/Block Teachers for 2nd phase, the competent authority was the Block Development Officer as well as the Deputy Development Commissioner respectively. Moreover, it is not the case of the writ petitioners that they have filed complaint initially before the Block Development Officer/Deputy Development Commissioner, which remained pending till constitution of the District Appellate Authority [Vide: L.P.A. No. 984 of 2014 (*Manohar Prasad Vs. The State of Bihar & Ors.*)].

36. The writ petitioners deliberately did not make the District Education Officer, District Programme Officer and other officers of the Education Department as party respondents before the District Appellate Authority, so that in their absence positive orders be passed in favour of the writ petitioners. It is also alleged that the Block Development Officer-cum-Secretary of Block Employment Unit as well as employment units were hand in glove with the petitioners. The conduct of the writ petitioners was amounting to an act of deliberate deception with the design of securing something by taking advantage of unfair and other.

37. Learned Advocate for the State further





contended that if for any reason, the District Appellate Authority was of the view that the vacancies arisen on account of resignation or otherwise, it should be filled up from the same appointment process, then it should have given opportunity to all the candidates figuring in the merit list, particularly to those, who were higher to the writ petitioners and, as such, there is clear violation of Articles 14 and 16 of the Constitution of India. Since the very appointment of the writ petitioners was illegal, ***void, ab initio*** and was a project of fraud and, as such, salary earned consequently is recoverable in view of the ratio laid down by the Full Bench of this Court in the case of ***Rita Mishra Vs. Director, Primary Education, Bihar, AIR 1988 Pat 26.***

38. The reliance placed by the State Appellate Authority in the case of ***R. Vishwanatha Pillai Vs. State of Kerala & Ors., AIR 2004 SC 1469*** is apparently applicable in the facts of the case. The contention of the appellants that the appointment should be sustained on the basis of principle of equity is, per se, untenable in view of the settled proposition of law that equity can only supplement the law and not supplant or override it, particularly where exists a conflict between equity and the law, it is the law that prevails. The reference may be taken to a decision rendered in the case of ***Raghunath Rai***





***Bareja and Another Vs. Punjab National Bank and Others,
2007 (2) SCC 230.***

39. While concluding the submissions, learned Senior Advocates/Advocates for the State have submitted that the findings arrived at by the State Appellate Authority has rightly not been interfered by the learned Single Judge, as it is neither suffering from any perversity nor contrary to any material evidences, rather it is based on sound principle of law. The writ court while exercising the prerogative writ jurisdiction cannot re-appreciate the evidence, which is available before the statutory Tribunal, and the view taken by such Tribunal cannot be substituted by the writ court solely considering that based on such evidence an another view is possible.

40. After having extensively and carefully heard the learned Senior Advocates/Advocates for the respective parties and going through the materials available on record as well as the order/judgment of the learned Single Judge, the following issues culled out for consideration before the Court in the batch of this intra Court appeals:

ISSUES

(I) As to whether the order passed by the State Appellate Authority in absence of Chairman (Judicial) in terms





with Rules, 2020 suffers from the vice of Coram non-judice and thus unsustainable in law?

(II) Whether the delay condoned by the State Appellate Authority in filing of appeals after a period of six years from the order of District Appellate Authority is legal and sustainable in law, in view of the submissions led by the appellants that no sufficient and reasonable cause for delay has been explained?

(III) Whether the District Education Officer/District Programme Officer and the Block Education Officer had the *locus standi* to file the appeal before the State Appellate Authority despite not being a party in any *lis* before the District Appellate Authority and whether they are not estopped from filing appeal after appointing the writ petitioners against the respective posts of Panchayat/Prakhand Teachers?

(IV) Whether the life of the merit list of Panchayat/Prakhand Teachers pertaining to selection process of 2006-2008 can revive on account of resignation and other reasons subsequently in the year 2012 and onwards?

(V) Whether the writ petitioners, who were the participants of the 2nd phase of the selection process held in the year 2006 and 2008 could have been appointed after coming





into force of Rules, 2012 by committing procedural bypass, despite and having not possessing the qualification of Teacher Eligibility Test (TET)?

(VI) Whether the order of retrospective termination of the writ petitioners from the date of appointment and directions for recovery of salary disbursed to them is sustainable in law in the facts of this case?

41. Issue no. I: *As to whether the order passed by the State Appellate Authority in absence of Chairman (Judicial) in terms with Rules, 2020 suffers from the vice of Coram non-judice and thus unsustainable in law?*

41.1. Before answering the issue, it would be apt and proper to take note of the prescriptions under which the structure of Appellate Authority has been incorporated and established. The Government of Bihar in exercise of the powers conferred under Articles 162 and 243, Section 47 read with Section 146 of Bihar Panchayat Raj Act, 2006, Sections 46, 47 read with Section 419 of Bihar Municipal Act, 2007, Section 38 of Right of Children to Free and Compulsory Education Act, 2009 and Section 14 of the Bihar Private Schools (Fee Regulation) Act, 2019, has framed the Bihar State Teaching Institutions Teachers and Employees (Disputes Redressal and





Appeal) Rules, 2020. Rule 2(iii) of Part-I defines the Appellate Authority means the District Appellate Authority constituted at the district level and the Appellate Authority constituted at the State level, under the provisions of these Rules. 2(v) defines the ‘Chairman’, means the Chairman of the State Appellate Authority. Rule 3 of Part-2 of Rules, 2020 deals with constitution of the Appellate Authority which reads as follows:

“3. Constitution of Appellate Authority.-(i) The State Govt. shall constitute District Appellate Authority at the District level who shall perform the powers and functions, conferred under these Rules. There will be two members who shall act as Presiding Officer.

(ii) The State Govt. shall constitute State Appellate Authority at the State level, having two chairman to hear appeal against the decisions/orders passed by the District Appellate Authority and Divisional Level Fee Regulation Committee.

(iii) The scope and distribution of work between the Presiding Officers/Chairman of the Appellate Authority shall be determined by the department, from time to time.”

41.2. Rule 4(iii) of Part-2 of Rules, 2020 provides that there shall be two separate Chairman in the State Appellate Authority. One of the Chairman shall be the retired Justice of the Hon’ble High Court and the other Chairman shall be the retired officer of the Indian Administrative Service in the rank,





not below than the Principal Secretary. The State Government, may authorise any Chairman to discharge the duty of another Chairman. Part-3 of Rules 2020 deals with powers and function of the District Appellate Authority as well as the State Appellate Authority which, *inter alia*, provides that the authority shall hear the appeal against the decision of the District Appellate Authority, provided any application/complaint has been filed within 30 days from the date of passing of the final order but the authority will have the jurisdiction to condone the delay in filing the appeal, if there exists reasonable grounds. The State Appellate Authority shall have the same powers for enquiry of any matter or hearing which has been vested with the Civil Court under the Civil Procedure Code, 1908. While adjudicating any dispute, Rule 17 of Rules 2020 clearly says that all the functions of the authority shall be deemed to be the judicial function under the provisions of Sections 193, 219 and 228 of the Indian Penal Code.

41.3. For proper appreciation of the Rules noted hereinabove, it would be imperative to get insightful assistance from the rulings of the Hon'ble Supreme Court which highlighted and crystallized the object and the issue through various decisions. In the case of *Amulya Chandra Kalita Vs.*





Union of India & Ors., (1991) 1 SCC 181, (overruled) while examining the validity of the constitution of Administrative Tribunal referring to the Administrative Tribunal Act, 1985 established under Section 4 of the said Act read with Section 5(1) which sets out the constitution of the Tribunal and adds that the jurisdiction, powers and authority of the Tribunal may be exercised by Benches thereof, held that the prescription statutorily recognised that every Bench of the Tribunal must consist of a Judicial Member and an Administrative Member. It is, therefore, obvious that the Administrative Member alone could not have heard and decided the matter. The aforesaid decision rendered in ***Amulya Chandra Kalita*** (supra) has been overruled in ***Dr. Mahabal Ram Vs. Indian Council of Agriculture Research, (1994) 2 SCC 401***, by holding as follows:

“6. Sub-sections (2) and (6) appearing as limbs of the same section have to be harmoniously construed. There is no doubt that what has been said in Sampath Kumar case [(1987) 1 SCC 124 : (1987) 2 ATC 82 : AIR 1987 SC 386 : (1987) 1 SCR 435] would require safeguarding the interest of litigants in the matter of disposal of their disputes in a judicious way. Where complex questions of law would be involved the dispute would require serious consideration and thorough examination. There would, however, be many cases before the Tribunal where very often no constitutional issues or even legal points would be





involved. Mr Ramamurthi, Senior Counsel, suggested to us in course of the hearing that keeping the principles indicated in the Constitutional Bench judgment in view, the Single Member contemplated under sub-section (6) should be meant to cover a judicial member only. That view may perhaps not be appropriate to adopt. On the other hand, we are prepared to safeguard the interests of claimants who go before the Tribunal by holding that while allocating work to the Single Member — whether judicial or administrative — in terms of sub-section (6), the Chairman should keep in view the nature of the litigation and where questions of law and for interpretation of constitutional provisions are involved they should not be assigned to a Single Member. In fact, the proviso itself indicates Parliament's concern to safeguard the interest of claimants by casting an obligation on the Chairman and Members who hear the cases to refer to a regular bench of two members such cases which in their opinion require to be heard by a bench of two Members. We would like to add that it would be open to either party appearing before a Single Member to suggest to the Member hearing the matter that it should go to a bench of two Members. The Member should ordinarily allow the matter to go to a bench of two Members when so requested. This would sufficiently protect the interests of the claimants and even of the administrative system whose litigations may be before the Single Member for disposal. To make a distinction between Judicial Member and Administrative Member functioning under sub-section (6) of Section 5 of the Act may not be appropriate and, therefore, we have not been able to accept the approach suggested by Mr Ramamurthi. The observation made in the two-Judge Bench case that no provision was cited to them that a Single Member could hear cases laid





before the Tribunal led to the conclusion that the judicial business of the Administrative Tribunal was intended to be carried by a bench of two Members. The vires of sub-section (6) has not been under challenge and, therefore, both the provisions in Section 5 have to be construed keeping the legislative intention in view. We are of the view that what we have indicated above brings out the true legislative intention and the prescription in sub-section (2) and the exemption in sub-section (6) are rationalised.”

41.4. In **Dr. Mahabal Ram**, the Hon’ble Court while reiterating the law laid down in **S.P. Sampath Kumar Etc vs Union of India & Ors., (1987) 1 SCC 124** has observed that the interest of litigants would require to be safeguarded in the matter of disposal of their disputes in judicious way. It would be pertinent to note that the approach adopted in the case of **Dr. Mahabal Ram** (supra) is held to be correct by a 7-Judge Constitution Bench in the case of **L. Chandra Kumar vs Union of India & Ors., (1997) 3 SCC 261**, since it harmoniously resolved the manner in which Section 5(2) and 5(6) can operate together. The Constitution Bench however further clarified that where a question involving the interpretation of a statutory provision or rule in relation to the Constitution arises for the consideration of a single Member Bench of the Administrative Tribunal, the proviso to Section 5(6) of the Administrative Tribunal Act, 1985 will automatically apply and the Chairman





or the Member concerned shall refer the matter to a Bench consisting of at least two Members, one of whom must be a Judicial Member. This will ensure that questions involving the vires of a statutory provision or rule will never arise for adjudication before a single Member Bench or a Bench which does not consist of a Judicial Member. It is only by this way that the Court held Section 5(6) of the Administrative Tribunal Act, 1985 will no longer be susceptible to charges of unconstitutionality.

41.5. The Constitution Bench in its penultimate paragraph considering all the aspects has also ruled that “*It must be remembered that the setting-up of these Tribunals is founded on the premise that specialist bodies comprising both trained administrators and those with judicial experience would, by virtue of their specialised knowledge, be better equipped to dispense speedy and efficient justice. It was expected that a judicious mix of judicial members and those with grass- roots experience would best serve this purpose. To hold that the Tribunal should consist only of judicial members would attack the primary basis of the theory pursuant to which they have been constituted. Since the Selection Committee is now headed by a Judge of the Supreme Court,*





nominated by the Chief Justice of India, we have reason to believe that the Committee would take care to ensure that administrative members are chosen from amongst those who have some background to deal with such cases”.

41.6. In *State of Gujarat & Ors. v. Utility Users’ Welfare Association & Ors.*, (2018) 6 SCC 21 referring to the mandate led by the Constitution Bench to the decision in *Madras Bar Association vs Union of India & Anr.*, (2010) 11 SCC 1 (MJ-I) and further in *Madras Bar Association vs Union of India & Anr.*, (2014) 10 SCC 1 (MJ-II) observed that the Members of the Tribunal discharging judicial functions could only be appointed from sources possessing expertise in law and competence to discharge judicial functions.

41.7. Summing up the legal positions as narrated by the Hon’ble Supreme Court in the above referred cases, this Court feels it worth benefiting to refer the observations made by the Constitution Bench in the case of *Madras Bar Association* (MJ-II) (supra) where the Court said that “*the legislature is presumed not to legislate contrary to the rule of law and therefore know that where disputes are to be adjudicated by a Judicial Body other than Courts, its standards should approximately be the same as to what is expected of main*





stream Judiciary. Rule of law can be meaningful only if there is an independent and impartial judiciary to render justice. An independent judiciary can exist only when persons with competence, ability and independence with impeccable character man the judicial institutions. When the legislature proposes to substitute a Tribunal in place of the High Court to exercise the jurisdiction which the High Court is exercising, it goes without saying that the standards expected from the Judicial Members of the Tribunal and standards applied for appointing such members, should be as nearly as possible as applicable to High Court Judges, which are apart from a basic degree in law, rich experience in the practice of law, independent outlook, integrity, character and good reputation. It is also implied that only men of standing who have special expertise in the field to which the Tribunal relates, will be eligible for appointment as Technical members. Therefore, only persons with a judicial background, that is, those who have been or are Judges of the High Court and lawyers with the prescribed experience, who are eligible for appointment as High Court Judges, can be considered for appointment of Judicial Members”.

41.8. In the afore-noted legal background, now





coming to the prescriptions noted hereinabove, especially Rules 3 and 4 of Rules, 2020 which deals with Constitution of the Appellate Authority and its structure. It is evident that the legislature has provided two separate Chairman in the State Appellate Authority; one of which shall be a retired Justice of the Hon'ble High Court, whereas another Chairman shall be the retired officer of the Indian Administrative Service, not below than the Principal Secretary. The said prescription further mandates that the State Government, may authorise any Chairman to discharge the duty of another Chairman. This provision further gets clarified from reading of rule 3(iii) which says that the scope and distribution of work between the Presiding Officer/Chairman of the Appellate Authority shall be determined by the Department from time to time.

41.9. Carefully reviewing the prescription, this Court through his office requested Mr. Abhinay Raj, panel lawyer of the State as to whether the State Government has come out with any notification authorising the Chairman to discharge the duty of another Chairman or there is any letter/notification which further clarify the scope and distribution of the work between the Chairmans of the State Appellate Authority. The aforesaid query was enquired through





Smt. Rekha, Secretary, State Appellate Authority, who conveyed this Court through Mr. Abhinay that till date there is no such letter/notification by the State Government and/or by the Department of Education. Irrespective of the fact, there is no such notification/letter by the State Government or the Department prescribing distribution of work between the Chairman of the Appellate Authority, since the Rules specifically provides constitution of the State Appellate Authority having two separate Chairman and the power for distribution of work and authorization by the State Government to discharge the duty of another Chairman clearly suggests that both the Chairmen may hear the cases separately allotted to them; hence even in absence of such notification/letter once the function of the authority shall be deemed to be judicial function, any order of the authority cannot be questioned on this score alone. However, where questions of law and interpretation of constitutional/statutory provisions are involved, it should be heard by a Bench consisting of both the Chairman (Judicial) and the Chairman (Administrative). In such eventuality, it would also be open to either party appearing before the Chairman (Administrative) to make a prayer to refer the matter to a Bench consisting of Member (Judicial), if complicated question of law





is involved. This would sufficiently, in all circumstances, protect the interest of the claimants and even all the administrative system, when litigation may be placed before the Chairman (Administrative).

41.10. Since the vires of any of the provisions of Rules, 2020 are neither under challenge nor even alleged to be ultra vires of the Constitution, in the opinion of this Court, it would be appropriate to give a harmonious construction to the statutory provisions to ensure that the State Appellate Authority carries out its function more effectively in resolving the disputes in terms with the relevant provisions of the Rules, 2020.

41.11. Before parting with the conclusion, it would be unjust and improper on our part, if we fail to take note of the submission led by the learned Advocate for the appellants that one of the learned Single Judge of this Court in the case of ***Pradip Kumar Yadav @ Pradeep Kumar Yadav & Ors. vs. The State of Bihar & Ors.*** and other analogous cases [C.W.C.J. No. 17508 of 2021] dated 17.04.2025 has held that the order passed by the Chairperson of the State Appellate Authority, who was an officer of Indian Administrative Service, can only be held to be without jurisdiction and placing reliance upon the said judgment as well as the order rendered in C.W.J.C. No. 12632 of 2025





[*Shobha Kumari vs. State of Bihar & Ors.*], 2025 (4) PLJR 1, besides the other grounds, one of us (Harish Kumar, J.) in C.W.C.J. No. 9257 of 2024 [*Sonam Kumari vs. State of Bihar & Ors.*] has concurred the view and set aside the order passed by the State Appellate Authority by holding it suffers from illegality.

41.12. Bare reading of the order passed by the learned Single Judge in CWJC No. 17508 of 2021, besides the fact that the order/judgment has been put to challenge before the learned Division Bench in L.P.A. No. 500 of 2025 and the operation of the order is stayed, with due respect to the learned Single Judge, there is no discussion pertaining to the prescription of Rules, 2020 in the light of the decisions rendered by the Apex Court discussed in the foregoing paragraphs, rather the order in C.W.J.C. No. 17508 of 2021 is in relation to the prescriptions provided under the Bihar State School Teachers and Employees Disputes Redressal Rules, 2015, which stood repealed with effect from the date of issuance of the notification contained in Memo No. 07/Pradhi-4/2016-715 dated 25.08.2020, whereby Rules, 2020 has been brought into force. However, we made it clear that the view taken by this Court shall have its application prospectively till such prescription of





Rule, 2020 holds the field. Moreover, this Court may not find any legal impediment in dealing with the issue on merit in reference to the statutory scheme and also the judicial precedents, which aspects have not been dealt with by the learned Single Judge in C.W.J.C. No. 9257 of 2024 and other above referred cases.

41.13. After making elaborate discussions and highlighting the relevant prescriptions of the Rules, 2020 as well as legal position referred hereinabove, this Court unanimously comes to the conclusion that the order passed by the State Appellate Authority in absence of Chairman (Judicial) in terms with Rule 4(iii) does not suffer from vice of Coram non judice. We answered accordingly.

42. Issue no. II: *Whether the delay condoned by the State Appellate Authority in filing of appeals after a period of six years from the order of District Appellate Authority is legal and sustainable in law, in view of the submissions led by the appellants that no sufficient and reasonable cause for delay has been explained?*

42.1. Before responding to the afore-noted issue, it would be pertinent to take note of the law of limitation which is enshrined in the legal maxim "*interest reipublicae ut sit finis*





litium" (it is in the interest of the state that there be an end to litigation). Rules of limitation are not meant to destroy the rights of the party, rather the idea is that every legal remedy must be kept alive for a legislative fixed period of time. The vested right of a party should not be disrupted at the instance of the person, who is guilty of culpable negligence. [vide: ***Ramchandra Shankar Deodhar & Ors vs The State of Maharashtra & Ors., (1974) 1 SCC 317*** and ***K.R. Mudgal & Ors vs R.P. Singh & Ors., (1986) 4 SCC 531***].

42.2. It is well settled that in order to determine as to whether there was a sufficient cause for non-appearance, it is required to be examined whether the mistake was bonafide or was merely a device to cover an anterior purpose, however, the Court has cautioned that while making such consideration regarding a sufficient cause, the court must bear in mind the object of doing substantial justice to all the parties concerned. And that the technicalities of the law should not prevent the court from imparting such substantial justice and doing away the illegality perpetuated on the basis of the judgment impugned [Vide: ***State of Bihar & Ors. Vs. Kameshwar Prasad Singh & Anr. , (2000) 9 SCC 94***]. It would be worth benefiting to take note of the decision rendered in ***N. Balakrishnan vs. M.***





Krishnamurty, (1998) 7 SCC 123, where the Hon'ble Apex Court explained the scope of limitation and condonation of delay, observed as under:

“The primary function of a court is to adjudicate the dispute between the parties and to advance substantial justice. Time limit fixed for approaching the court in different situations is not because on the expiry of such time a bad cause would transform into a good cause. Rule of limitation are not meant to destroy the right of parties. They are meant to see that parties do not resort to dilatory tactics, but seek their remedy promptly. the object of providing a legal remedy is to repair the damage caused by reason of legal injury. Law of limitation fixes a life-span for such legal remedy for the redress of the legal injury so suffered. Time is precious and the wasted time would never revisit. During efflux of time newer causes would sprout up necessitating newer persons to seek legal remedy by approaching the courts. So a life span must be fixed for each remedy. Unending period for launching the remedy may lead to unending uncertainty and consequential anarchy. Law of limitation is thus founded on public policy.”

42.3. In **O.P. Kathpalia vs Lakhmir Singh (Dead) & Ors. , (1984) 4 SCC 66**, the Hon'ble Supreme Court held that if the refusal to condone the delay results in gross miscarriage of justice, it would be a ground to condone the delay. The law of limitation is, no doubt, the same for private citizen as for Government-authorities. State like any other litigant must take responsibility for the acts or omissions of its officers. But a





somewhat different complexion is imparted to the matter where Government makes out a case where public interest suffers owing to acts of fraud or bad faith on the part of its officers or agents, where the officers were clearly at cross purposes with it. A certain amount of latitude is, therefore, not impermissible. It is rightly said that those who bear responsibility of Government must have 'a little play at the joints'. Due recognition of these limitations on Governmental functioning-of course, within a reasonable limit- is necessary if the judicial approach is not to be rendered unrealistic. It would, perhaps, be unfair and unrealistic to put Government and private parties on the same footing in all respects in such matters. [vide: ***G. Ramegowda, Major, Etc vs Special Land Acquisition Officer, Bangalore, (1988) 2 SCC 142***].

42.4. We must keep it in our mind as to whether circumstances justifying the conduct exist, the illegality which is manifest, cannot be sustained on the sole ground of laches. When substantial justice and technical considerations are pitted against each other, the cause of substantial justice deserves to be preferred; for the other side cannot claim to have a vested right in the injustice being done, because of a non-deliberate delay. [vide: ***Collector Land Acquisition, Anantnag & Anr. Vs. Mst.***





Katiji & Ors, AIR 1987 SC 1353 and Tukaram Kana Joshi & Ors. and Thr. Poa Holder Vs. M.I.D.C. & Ors., (2013) 1 SCC 353/. It would also be relevant to take note of the decision rendered in *H. D. Vora Vs. State of Maharashtra & Ors., (1984) 2 SCC 337*, where the Hon'ble Supreme Court condoned 30 years delay in approaching the Court where it found violation of substantive legal rights of the applicants. In that case, the requisition of premises made by the State was assailed.

42.5. Coming to the facts of the case at hand, the appellants have approached the Court after a long delay of completion of the recruitment process held under Rules, 2006 and subsequently in the year 2008 by impleadings the members of the Employment Unit as opposite parties before the District Appellate Authority in the year 2016-17; the same was entertained and orders have been passed. Accordingly, the writ petitioners-appellants herein were appointed. However, in none of the application filed before the District Appellate Authority, the higher authority of the Education Department and the State Government were made as opposite parties, since their appointments were not to the knowledge and in approval of the State Government and its authorities, they were not being allowed salary/honorarium. In such circumstances, they





approached this Court where different Benches of this Court directed to ensure salary/honorarium for the period they have discharged their duties to the respective posts. It is only then the State Government and its higher authority of the Department of Education came to know and challenge the order of the District Appellate Authority by filing different appeals before the State Appellate Authority. It is only in such circumstances, the authorities competent in this behalf moved an appeal against the order affecting the right and public interest even at the belated stage with a prayer to condone the delay. At this juncture, it would be worth benefitting to refer a decision rendered by the Hon'ble Supreme Court in the case of *Inder Singh vs. State of Madhya Pradesh*, 2025 LiveLaw (SC) 339, where the Hon'ble Court referring to a decision rendered in *Ramchandra Shankar Deodhar* (supra) as well as various other decisions have concluded that delay cannot be condoned without sufficient cause, but a major aspect which has to be kept in mind is that, if in a particular case, the merits have to be examined, it should not be scuttled merely on the basis of limitation. Since in the present case also the facts clearly reveal that the authorities of the Education Department and the State of Bihar had not been made party before the District Appellate Authority and the State





Appellate Authority is empowered under Rules, 2020 having jurisdiction to condone the delay in filing the appeal, we do not find that there was no sufficient and reasonable cause for condonation of delay in filing of the appeal before the State Appellate Authority and accordingly no fault is found in the order of the State Appellate Authority condoning the delay.

This Court further observed that the reliance led by the appellants on the decision rendered in the case of ***H. Guruswamy & Ors. Vs. A. Krishnaiah, 2025 SCC OnLine SC 54***, where the Court has reminded the District judiciary as well the High courts that the concepts such as “liberal approach”, “Justice oriented approach”, “substantial justice” should not be employed to frustrate or jettison the substantial law of limitation and further while considering the plea for condonation of delay, the Court must not start with the merits of the main matter. The court owes a duty to first ascertain the bona fides of the explanation offered by the party seeking condonation. Since this Court finds that the sufficient cause has been assigned by the appellants in approaching the State Appellate Authority as referred hereinabove, the reliance placed by the appellants on the decision in ***H. Guruswamy*** (supra) with all respect is not applicable in the facts of this case.





We answered this issue accordingly.

43. Issue no. III: *Whether the District Education Officer/District Programme Officer and the Block Education Officer had the locus standi to file the appeal before the State Appellate Authority despite not being a party in any lis before the District Appellate Authority and whether they are not estopped from filing appeal after appointing the writ petitioners against the respective posts of Panchayat/Prakhanda Teachers?*

43.1. It is trite that the party/authority, whose order is sought to be quashed and the authority under whose control they function are necessary party if a case is instituted against the Members of the Employment Unit, who are the statutory functionaries regulated by the authorities of the Education Department as well as the State. In absence of the State or its instrumentalities and its higher authorities, who are ultimately concerned with the subject matter or would have been affected by the outcome of the case, must be made party to the *lis* in all fairness of the things. Non-impleadment of the authorities, who is/are responsible for ultimate regulation of the Department/Institution would certainly cast a shadow of doubt of collusion and/or move to obtain a favourable order in





connivance with the officials of the Departments/Institutions, who are standing in his/their favour.

43.2. Conferring rights or benefits on the writ petitioners-appellants, who had consciously participated in a well thought out, and meticulously orchestrated plan, to circumvent well laid down norms, for gaining employment would amount to espousing the cause of "the unfair".

43.3. It is no longer res integra that any order made on a writ petition affecting the interest of a party who has not been arrayed as a respondent could be invalidated on the ground of breach of natural justice or the order in no manner would be applicable to them. However, it must be kept in mind that suppression of even single material fact may be fatal before the Writ Court. It would be useful to refer the decision of the Hon'ble Supreme Court in the case of *M/s S.J.S. Business Enterprises (P) Ltd. Vs. State of Bihar & Ors., AIR 2004 SC 2421*, where the law has succinctly been stated as follows:

"13. As a general rule, suppression of a material fact by a litigant disqualifies such litigant from obtaining any relief. This rule has been evolved out of the need of the courts to deter a litigant from abusing the process of court by deceiving it. But the suppressed fact must be a material one in the sense that had it not been suppressed it would have had





an effect on the merits of the case. It must be a matter which was material for the consideration of the court, whatever view the court may have taken.”

43.4. The State and its authorities, in fact, are under bounden duty to challenge an order, which will affect sanctity of recruitment process and cause injustice at large, even through they have not been made party to a *lis*, either knowingly or unknowingly. Any illegality cannot be allowed to be perpetuated or ignored as the same will not only violate Articles 14 of the Constitution, but cause distrust upon the system, which is governed by rule of law

44. Issue no. IV: *Whether or not the life of the merit list of Panchayat/Prakhand Teachers pertaining to selection process of 2006-2008 can revive on account of resignation and other reasons subsequently in the year 2012 and onwards?*

44.1. To answer the question formulated hereinabove, it would be pertinent to take note of the relevant prescriptions of the Bihar Panchayat Primary Teachers (Recruitment and Service Conditions) Rules, 2006 and its Amended Rules, 2008.

Bare reading of Bihar Panchayat Primary Teacher





(Recruitment and Service Conditions) Rule, 2006 (hereinafter referred to as 'the Rule, 2006') and its amended Rule, 2008, it appears that the same has been duly framed in exercise of powers provided under Article 243 G of Constitution of India and Sections 47 and 48 to be read with section 146 of Bihar Panchayati Raj Act, 2007 In the light of the amended provision of Article 21-A of the constitution of India, which mandate free and compulsory education to the children from the age of 6 to 14 years. Rule 8 of Rule, 2006 provided the eligibility criteria for appointment to the post of Prakhanda/Panchayat Teacher, which categorically provides that the candidate must have the qualification of Intermediate or equivalent degree along with two years Teachers Training Diploma/Certificate from any institution having recognition from the NCTE or other equivalent degree, as has been provided therein is not necessary for this list to be explained exhaustively. The procedure of the recruitment has been duly prescribed in Rule 9, which contains the constitution of the Committee for preparation of panel and recruitment of Prakhanda/Panchayat Teacher. It is made clear that the members selected for panel shall have the tenure of one year. After preparation of the panel objection shall be invited and after resolving the objection the panel shall be finalized. In case





of any dispute in relation to Employment and Service Condition of the Prakhanda/Panchayat Teacher in terms with the Rule, 2006, the Block Development Officer/Deputy Development Commissioner shall have all the power to decide such dispute, however, subsequently in view of the amendment vide notification no. 1056 dated 03.07.2009 in the amended Rules, 2008, the Appellate Authority was directed to be constituted in each district by the State Government, for which the Human Resources Development Department shall prescribe the condition.

44.2. Bare reading of the aforesaid prescription what has surfaced is that the life of the merit list has not been prescribed but the tenure of the Members of the Employment Unit shall be only for one year. Hence, even if the period of merit list has not been prescribed, the law in this regard is very clear that the life of a panel ordinarily is one year and the same can be extended only by the State and that too if the statutory rule permits it to do so. Admittedly, there is no such rule extending any power to any of the Employment Unit or the State to extend the life of a merit list/panel. In the case of ***Union of India & Ors. Vs. B. Valluvan & Ors, (2006) 8 SCC 686***, the Court held that once a panel stands exhausted upon filling up of





all the posts, the question of enforcing a future panel would not arise.

44.3. In the case of *State of Orissa & Anr Vs. Rajkishore Nanda & Ors.*, (2010) 6 SCC 777, the Hon'ble Supreme Court in no uncertain term has held that the select list cannot be treated as a reservoir for the purpose of appointments, that vacancy can be filled up taking the names from that list as and when it is so required. It is settled legal proposition that no relief can be granted to the candidate if he approaches the Court after expiry of the select list. If the selection process is over, select list has expired and appointments had been made, no relief can be granted by the Court at a belated stage.

44.4. The reliance placed by the learned Advocate for the State on the decision of *Ali Hossain Mandal and Ors Vs. West Bengal Board of Primary Education and Ors.*, (2024) 15 SCC 90 also covers the issue formulated hereinabove where the Court reiterating the decisions rendered in *B. Valluvan, Rajkishore Nanda* (supra) as well as the decision in the case of *State of Bihar & Ors Vs. Md. Kalimuddin & Ors.*, (1996) 2 SCC 7 and in the case of *Girdhar Kumar Dadhich & Anr Vs. State of Rajasthan & Ors.*, (2009) 2 SCC 706, has ruled that “the opinion expressed in the above judgments makes it clear





that a panel or a merit list cannot be treated as if it exists in perpetuity, which will facilitate making appointments as and when required. When the panel expires or after the selection process is over with most posts being filled, the benefit of appointments cannot be given unless the panel's validity is legally extended. However, no such extension of the panel's validity was granted.”

44.5. This Court also takes note of the decision rendered by the learned co-ordinate Bench of this Court in the case of **Tara Kant Sinha Vs. The State of Bihar & Ors.** [LPA No. 1398 of 2013], while the Court refuting the submissions of the learned counsel for the appellant, that there is vacancy subsists because of resignation of one of the selected candidates on the well established principle of the Hon'ble Apex Court held that vacancy caused after joining and resignation cannot be used for the same to be filled up by any candidate from the panel as the panel life comes to an end after the appointment process is over.

44.6. After going through the decisions afore-noted as also the relevant prescriptions of Rules, 2006 and its Amended Rules, 2008, it is manifest that merely because the name of a candidate finds place in the merit list, it would not





give the candidate an indefeasible right to get an appointment as well. With the appointment of the candidates against the post in respect of which the consideration came to be made and a merit list was prepared the date on which the recruitment process gets completed. The panel ceased to exist and has outlived its utility and no one else in the panel can claim that he should have been offered appointment either in the vacancy arising on account of the subsequent resignation of the persons or on his death, who were initially appointed from the panel, or any other vacancies arising subsequently.

44.7. This Court, in the aforesaid premise, has no hesitation to hold that the life of the panel, which was prepared in terms with Rules, 2006 and its Amended Rules, 2008, cannot be revived on account of resignation of persons appointed subsequently in the year 2012 and onwards.

45. Issue no. V: *Whether the writ petitioners, who were the participants of the 2nd phase of the selection process held in the year 2006 and 2008 could have been appointed after coming into force of Rules, 2012 by committing procedural bypass, despite having not possessing the qualification of Teacher Eligibility Test (TET)?*

45.1. Once by the notification bearing No. 7/V.1-





37/2010-241 dated 3rd April, 2012, the Government of Bihar, exercising powers under Section 47 read with section 146 of the Bihar Panchayat Raj Act, has come out with the Rules, 2012, all the earlier prescriptions of 2006 Rules as well as its Amended Rules, 2008 stood repealed. However, notwithstanding the repealing of previous Act, the action taken under the previous Rules and notification shall be deemed to be valid and will not cause any effect to the service conditions of the Teachers, who were appointed in terms with the previous Rules. The provisions prescribed the procedure of employment under Rule 11 of Rules 2012 clearly suggests that the Government of Bihar through its Employment Units shall inform the number of vacancies of the Panchayat Teachers/Prakhand Teachers, whereupon applications were invited. The eligibility for employment for the post of Panchayat/Prakhand Teacher, besides other qualification of the candidate, he/she must have passed the Teachers Eligibility Test. Under the Rules of 2012, any vacancy arising in the year 2012 or thereafter on account of resignation, removal, or a finding that the appointment was obtained through fraudulent means shall be treated as a vacancy occurring in that year itself. Accordingly, such vacancy shall be governed by the Rules of 2012 or the rules in force on the date on which the post falls





vacant. The claim of the person who had applied at the time of initial recruitment would not survive. Reliance placed by the learned Single Judge on a letter issued by the Principal Secretary, Education Department bearing No. 465 dated 09.07.2012 further clarifies that the vacancies fallen after coming into force the 2012 Rules would be filled up in terms with 2012 Rules, except those with respect to which litigation is pending. Admittedly, in these cases, there had never been any challenge to the merit list prepared pursuant to Rules, 2006 and its Amended Rules, 2008 and for the first time the writ petitioners have approached before the District Appellate Authority in the year 2016-17 without there being any valid cause of action.

45.2. In view of the aforesaid facts, this Court comes to the conclusion that extending appointment to the petitioners, who were the candidates of 2006 Rules and the Amended Rules 2008 in the year 2017, after coming into force of 2012 Rules, would amount to committing a procedural bypass and a fraud by knowing well that the petitioners had not passed the Teachers Eligibility Test and thereby not possessing eligibility for appointment to the post of Panchayat Teacher/Prakhand Teacher as required under Rules, 2012.





46. Issue no. VI: *Whether the order of retrospective termination of the writ petitioners from the date of appointment and directions for recovery of salary disbursed to them is sustainable in law in the facts of this case?*

46.1. True it is that there is no obligation on the Court to protect an illegal appointment. The extraordinary power of the court should be used only in an appropriate case to advance the cause of justice and not to defeat the rights of others or create arbitrariness. Usurpation of a post by an ineligible candidate in any circumstance is impermissible. Adherence to the rule of equality in public employment is a basic feature of our Constitution and since the rule of law is the core of our Constitution, even the Court would certainly be disabled from passing an order upholding a violation of Article 14 or in ordering the overlooking of the need to comply with the requirements of Article 14 read with Article 16 of the Constitution.

46.2. The constitution Bench in the case of *Secretary, State of Karnataka and Others Vs. Umadevi and Others, (2006) 4 SCC 1* while reiterating the aforesaid proposition has reminded us that consistent with the scheme for public employment, this Court while laying down the law,





unless the appointment is in terms of the relevant rules and after a proper competition among qualified persons, the same would not confer any right on the appointee. Employment under the State constitutes a national wealth. Every person eligible has a right to apply and be considered under Article 14 of the Constitution. The selection therefore has to be by open advertisement, equal opportunity for participation to the eligible and competitive merit selection. To dilute the requirement in any manner, shall not only be subverting the entire Constitutional scheme but shall also open the flood gates of favouritism, nepotism and corruption reducing public employment to pocket boroughs. The opening of a Service Book and enhancement of salary cannot confer the camouflage of legality on such an illegal appointment. Considering such illegal appointments it was observed in the case of ***Delhi Development Horticulture Employees' Union Vs. Delhi Administration, (1992) 4 SCC 99*** “the courts can take judicial notice of the fact that such employment is sought and given directly for various illegal considerations. Once a person appointed in rank, illegally, cannot complain that the termination procedure was arbitrary. Those who came in through the back door must go out through the same door as observed in the case of ***State of U.P.***





Vs. U.P. State Law Officers' Association, (1994) 2 SCC 204.

46.3. Conferring the rights and benefits on the writ petitioners, who had no cause of action, left after completion of the recruitment process under Rule, 2006 and amended Rule, 2008; yet they moved the District Appellate Authority in the year 2016 and 2017 that too when the earlier rules were already replaced by a new Rule, 2012, which prescribes the eligibility of a candidate must have passed the Teachers' Eligibility Test; it is nothing but, a well-thought-out, meticulous, and "orchestrated" plan to circumvent well laid down norms for gaining employment.

46.4. From the record, it is evident that there is no material to show that vacancy occurring owing to resignation or other reason have not been carried forward to the next recruitment process; and even for the sake of argument, if it is accepted for the time being that certain posts remained vacant, in such circumstances, those vacancies, which had arisen on account of the resignation or otherwise should be filled up from a fresh selection process strictly in consonance with the constitutional scheme after giving opportunity to all the candidates figuring in the merit list, particularly, to those who were higher to the writ petitioners, along with those prospective





candidates, who acquired eligibility on the date of fresh selection. But the fact of this case depicts a sorry state of affairs, the manner in which the petitioners have approached the District Appellate Authority almost a delay of 7-8 years without impleading the necessary parties, including State authorities of the Education Department and secured the appointment after getting the order from the District Appellate Authority.

46.5. Once this Court comes to the conclusion that the appointment of all the writ petitioners is illegal and obtained in a clandestine manner, no defect is found in the order/judgment of the learned Single Judge in upholding and affirming the order of the State Appellate Authority, but now the only question left to be answered by this Court is as to whether the State Appellate Authority was competent to pass the order of termination with retrospective effect and direct for recovery of salary.

46.6. This issue can very well be answered by referring to a decision rendered by the Full Bench of this Court in the case of **Rita Mishra** (supra) where the learned Court has underscored that the rights to salary, pension and other service benefits are entirely statutory in nature in public service. Therefore, these rights, including the right to salary, spring from





a valid and legal appointment to the post. Once it is found that the very appointment is illegal and is *non-est* in the eye of law, no statutory entitlement for salary or consequential rights of pension and other monetary benefits can arise. In particular, if the very appointment is rested on forgery, no statutory right can flow from it. Accepting the aforementioned settled legal position, the Hon'ble Supreme Court in the case of **R. Vishwanatha Pillai** (supra), upon which heavy reliance has been placed by the State Appellate Authority, has held as follows:

“...The rights to salary, pension and other service benefits are entirely statutory in nature in public service. The appellant obtained the appointment against a post meant for a reserved candidate by producing a false caste certificate and by playing a fraud. His appointment to the post was void and non est in the eye of the law. The right to salary or pension after retirement flows from a valid and legal appointment. The consequential right of pension and monetary benefits can be given only if the appointment was valid and legal. Such benefits cannot be given in a case where the appointment was found to have been obtained fraudulently and rested on a false caste certificate. A person who entered the service by producing a false caste certificate and obtained appointment for the post meant for a Scheduled Caste, thus





depriving a genuine Scheduled Caste candidate of appointment to that post, does not deserve any sympathy or indulgence of this Court. A person who seeks equity must come with clean hands. He, who comes to the court with false claims, cannot plead equity nor would the court be justified to exercise equity jurisdiction in his favour. A person who seeks equity must act in a fair and equitable manner. Equity jurisdiction cannot be exercised in the case of a person who got the appointment on the basis of a false caste certificate by playing a fraud. No sympathy and equitable consideration can come to his rescue.”

From the above referred discussions, it is culled out that in case of **Rita Mishra** (supra), her appointment was rested on forgery and similarly in the case of **R. Vishwanatha Pillai** (supra) he had procured the appointment by producing a false caste certificate of Scheduled Caste and thus deprived a genuine Scheduled Caste candidates for appointment, hence the Court held their appointment void ab initio and they do not deserve any sympathy or indulgence of the Court. Now, we take up the facts of this case; undoubtedly the cases of the petitioners are not identical to the cases of **Rita Mishra** and **R. Vishwanatha Pillai** (supra), where they had secured their appointment by playing fraud upon the authorities. In the case at hand, the writ petitioners have approached before the District Appellate





Authority by bringing on record the facts, though without impleading necessary parties and secured the appointment in pursuant to the order of the District Appellate Authority, hence in the opinion of this Court, the case of the writ petitioners-appellants herein are not akin to the case of **Rita Mishra** and **R. Vishwanatha Pillai** (supra) and their appointments are not, *per se*, rested on forgery. Thus, in such circumstances, the retrospective termination and direction for recovery of salary, directed by the State Appellate Authority and upheld by the learned Single Judge is not legally sustainable in law as well as on facts. Accordingly, this issue is also answered.

Conclusion:

47. Keeping in mind the determination of all the jurisdictional issues referred to hereinabove, we may consciously conclude that the State Appellate Authority, in the absence of the Chairman (Judicial), in terms of Rule 4(iii), does not suffer from the vice of *coram non judice* in view of the specific provisions of the Rules, 2020, which prescribe the mode and manner of carrying out its functions in resolving disputes, even separately by the bench of Chairman (Administrative), unless the complex legal issue is not involved; which would give harmonious effect to the legislative





enactment. Furthermore, the State Appellate Authority has not committed any error in accepting the prayer for condonation of delay in filing the respective appeals by the authorities of the Education Department of the State, in the public interest, and thereby prevented miscarriage of justice; especially when the necessary parties were not arrayed as respondents before the District Appellate Authority.

48. This Court also finds and holds that the State and its authorities are under a constitutional obligation to uphold the sanctity of the recruitment process, and whenever a severe wrong is surfaced, at large, by an unfair manner through an orchestrated plan, they are under a bounden duty to challenge such an order, irrespective of the fact that they were not made a party to the lis, either knowingly or unknowingly; as an illegality cannot be sanctified by mere passage of time, unless it is specifically protected in law, in any manner.

49. This Court has also concluded that the life of the panel/merit list, duly prepared in terms of the Rules, 2006 and the amended Rules, 2008, cannot be revived on account of the resignation or death of persons appointed subsequently in the year 2012 and onwards, in absence of any specific provision under the Statute. Hence, any appointment from the panel/merit





list, after having completed the earlier recruitment process long back in the year 2008, cannot be saved and deemed it legal under any circumstances after coming into force of the new rules, which prescribe altogether an exclusive eligibility criteria, which the writ petitioners do not possess. Extending appointments to the petitioners, irrespective of the aforesaid fact, would amount to a procedural bypass and a fraud on the system, knowing well that the petitioners do not have the requisite eligibility for appointment to the posts of Panchayat Teachers/Prakhand Teachers, as required under the Rules, 2012.

50. In view of the reasons afore-noted, this Court has held the appointments of all the writ petitioners to be illegal, having no sanctity in the eyes of law and being *dehors* the statutory prescriptions. Nonetheless, being conscious of the fact that the appointments of the petitioners were not based on forgery but rather on an illegal order of the District Appellate Authority, the Court has found the retrospective termination and the direction for recovery of salary to be not legally sustainable.

51. Before parting with this case, now we also propose to deal with the submissions led by the learned Senior Advocates/Advocates for the appellants that this Court is also a Court of equity and in the present case the equity lies in favour





of the appellants.

52. We do not find any reason to approve aforenoted contention in view of the well settled legal position that whenever there is conflict between the law and equity, it is law, which has to prevail.

53. Considerations of equity cannot prevail and do not permit a High Court to pass an order contrary to the law, as has been observed by the Hon'ble Supreme Court in the case of ***Council for Indian School Certificate Examination Vs. Isha Mittal & Anr., (2000) 7 SCC 521.***

54. We must keep in mind that equitable consideration have no place where the statute contains express provisions. What is administered in courts is justice according to law and considerations of fair play and equity however important they may be, must yield to clear and express provisions of the law [vide ***Madamanchi Ramappa Vs. Muthaluru Bojappa (AIR 1963 SC 1633) : E. Palanisamy Vs. Palanisamy [(2003) 1 SCC 123].***

55. It would be also worth noticing here that while exercising Letters Patent Appellate Jurisdiction, the Letters Patent Bench only exercises the power of court of correction and corrects its own orders in exercise of its power, as was





vested in the single judge. The Division Bench ought not to disturb the finding of fact arrived at by the learned Single Judge of the Court unless it is shown to be based on no evidence, perverse, palpably unreasonable and unsustainable with any particular position in law. The scope of interference is within a narrow compass.

56. In view of the discussions referred hereinbefore, we do not find any perversity and palpable unreasonableness or any infirmity in the impugned order of the learned Single Judge, which warrants any interference with the same, except the affirmance made by the learned Single Judge to the order of the State Appellate Authority whereby the termination of the writ petitioners have been made with retrospective effect with a direction of recovery of salary. Such direction is hereby set aside. The termination of the writ petitioners shall take effect from the order passed by the State Appellate Authority in their respective cases, on which date the order of the District Appellate Authority stood cancelled.

57. It is further made clear that if the writ petitioners have been allowed salary for certain period, the same shall not be recovered and would be only entitled to the salary for the period they have rendered their services in their





respective schools after proper verification of the record, in this regard.

58. Accordingly, the Letters Patent Appeals stand dismissed, with only modification, as stated hereinabove, and the direction in this regard.

59. No order as to costs.

(Harish Kumar, J)

Sangam Kumar Sahoo, CJ: I agree.

(Sangam Kumar Sahoo, CJ)

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