

**(2008) 08 PAT CK 0179**

**Patna High Court**

**Case No:** LPA No. 806 of 2006

Rajesh Kumar Verma

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

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**Date of Decision:** Aug. 11, 2008

**Citation:** (2009) 1 PLJR 228

**Hon'ble Judges:** R.M. Lodha, C.J; Ravi Ranjan, J

**Bench:** Division Bench

**Advocate:** Devendra Kumar Sinha and Anil Kumar No. 1, for the Appellant; Anil Kumar for the Respondents 1 and 2 and Mr. S.S. Sundaram for the Respondents 3 to 8, for the Respondent

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### **Judgement**

1. We heard Mr. Devendra Kumar Sinha, Senior Counsel for the appellant and perused the order dated 27th September, 2006 impugned in the present appeal. That for appointment of an Assistant Teacher, training is prerequisite eligibility under Bihar Secondary Teachers Appointment Rules is not in dispute. Nothing has been shown that by the letter dated 5th March, 1991, the relevant Rules got amended. The senior counsel does not dispute that the appellant has not undertaken the requisite training. If that be so, the appellant does not hold eligibility and the Government cannot be called upon to bear the salary of an untrained teacher. Dismissal of writ petition by the Single Judge cannot be faulted. This will, however, not preclude the appellant (original petitioner) to recover the salary from the institution/management (Guru Gobind Singh Boy's High School, Patna City, Patna) where he had worked.