

Rajesh Kumar Verma Vs The State of Bihar and Others

Court: Patna High Court

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

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.