

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9017 of 2011

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1. Sunita Kumari Wife of Vidya Thakur, resident of village- Jhamatiya, Post and Police Station- Bachhwara, District- Begusarai. Panchayat Teacher, Government Primary School Narepur Chatti, Bachhwara, Begusarai
 2. Veena Kumari, Wife of Dilip Kumar, resident of village-+ Post- Ahmadpur, Police Station- Sarairanjan, District- Samastipur. Panchayat Teacher Upgraded Middle School, Ahmedpur, Sarairanjan, Samastipur
 3. Veena Devi, Daughter of Sri Nageshwar Chaudhary, Wife of Shri Vijay Kumar Pandey, Vill + Post- Chaita North, P.S.- Angar Ghat, Dist.- Samastipur. Panchayat Teacher, Govt. Upgraded Middle School, Chaita, Sangama Ujiarpur, Samastipur
 4. Abhay Kumar Sharma, Son of Sri Rajendra Prasad Sharma, Village and Post- Dhruhgama, P.S.- Kalyanpur, District- Samastipur, Panchayat Teacher, Government Upgraded Middle School, Mirzapur, Kalyanpur, Samastipur
 5. Nirbhay Kumar Mishra, son of Late Kapildeo Mishra, Village- Basuara, Post- Araila, Police Station- Moro, District- Darbhanga, Panchayat Tacher, New Primary School, Baraura Harijantol, Araila, Hanuman Nagar, Darbhanga
 6. Vidyanand Singh S/o Late Mrigendra Prasad Singh, Village- Awab Bakarpur, P.S.- Bangara, District- Samastipur, Panchayat Teacher, Govt. Primary School, Mushartol, Ward No. 1, Manpura, Tajpur, Samastipur
 7. Md. Iltaf Raza, Son of Md. Sayeed, Village- Azizpur Chande (Musapur), Post- Azizpur Chande Police Station- Patepur, District- Vaishali Panchayat Teacher, New Primary School Nareshpur, Azizpur, Chande, Patepur, Vaishali
 8. Vinod Kumar Singh, Son of Sri Raj Narayan Singh, Village- Rajwada, Post- Chakpahad, Police Station- Tazpur, District- Samastipur Panchayat Teacher, New Primary School, Bichala Tola, Maharti Dharamchand, Patepur, Vaishali
 9. Tabassum Ara, Daughter of Manzar Alam, resident of village- Chaknoor, P.S.- Samastipur, District- Samastipur, Govt. New Primary School, Chaknoor, Ward No. 7, Samastipur
 10. Nasim Ahmad, Son of Safiurirrahman, Resident of Village- Husainabad, Post- Araila, Police Station- Basuara, District- Darbhanga, Rajkiya Upgraded Middle School, Ratanpura, District- Darbhanga
 11. Anzar Shakil, Son of Abulais Rizwi, resident of Husainabad, Post- Araila, Police Station- Moro, District- Darbhanga Panchayat Teacher, Govt. Primary School Araila, District- Darbhanga
 12. Nasima Parwin, W/o Mod. Ibahi Rizwi, resident of Village + Post- Mathurapur, Police Station- Waris Nagar, Dist.- Samastipur, Panchayat Teacher, Rajkiya Middle Maktab, Ram Nagar, District- Samastipur
 13. Madhuri Kumari, Daughter of Sri Krishna Chandra Mishra, Wife of Shailendra Kumar Chaudhary, Village- Ghogharaha, Post- Belsandi, Police Station- Kalyanpur, District- Samastipur, Panchayat Teacher Govt. Upgraded Middle School, Yadav Tola, Warisnagar, Samastipur
 14. Pramila Kumari, Daughter of late Maiya Prasad Thakur, Resident of Village- Muktapur, P.S.- Kalyanpur, District- Samastipur, Panchayat Teacher Govt. Primary School, Basudeopur, Harijan, Kalyanpur, Samastipur
 15. Anju Kumari, Daughter of Sri Nand Kishore Thakur, Wife of Sri Vijay Kumar Sharma, resident of village- Bibhutinagar (Banchar) Police Station- Patepur, District- Vaishali, Panchayat Teacher Government Upgraded

- Middle School, Musapur, Azizpurk, Chandey, Patepur, Vaishali
16. Pramod Kumari, Daughter of Nunu Lal Mahto, Village- Bariyarpur West, Police Station- Khodawandpur, District- Begusarai Panchayat Teacher, Upgraded Middle School Bariyarpur East, Block- Khodawandpur, District- Begusarai
17. Md. Akhlaque, son of Late Md. Ilias, resident of village- Nurullahpur, P.S.- Khodawandpur, District- Begusarai, New Srijit Primary School, Tara West Tola, Tara Bariyarpur, Khodawandpur District- Begusarai
18. Ajit Kumar, Son of Late Rameshwar Mahto, Resident of village- Rosara, P.S.- Rosara, District- Samastipur, Panchayat Teacher, Middle School Chakki Dhab, West, Block- Rosara, District- Samastipur
19. Ram Lala Mahto, Son of Late Ram Badan Mahto, Resident of Village- Tara, Police Station- Khodawantpur, District- Begusarai, Panchayat Teacher Naveen Primary School Dastola, Matihani, Khodawantpur, District- Begusarai
20. Saquib Imam, S/o Late Md. Ali, resident of village- Gobindpur, P.S.- Rosara, District- Samasipur, Panchayat Teacher, Primary School Maktab Mabbi, Block- Rosara, District- Samastipur
21. Md. Iftekhhar Ahamn S/o Late Md. Hasib resident of village- Gobindpur, P.S.- Rosara, District- Samasipur, Panchayat Teacher, Upgraded Middle School, Khaira, Block- Rosara, District- Samastipur
22. Arvind Kumar Chaudhary, Son of Sri Suraj Chaudhary, resident of village- Sakrauli, P.S.- Cheriya Bariyarpur, Distt.- Begusarai, Panchayat Teacher Upgraded Middle School GAdhsayal Sakarbasa, Block- Cheriya Bariyarpur, Dist- Begusarai
23. Sami Ahmad, son of Yaar Mohammad, Resident of Nurullahpur, P.S.- Khodawandpur, District- Begusarai, Panchayat Teacher Naveen Primary School East Tola Nurullahpur, Block- Khodawantpur, District- Begusarai
24. Yashwant Kumar, son of Sri Ram Kripal Yadav, resident of village- Kumbhi, P.S.- Cheriya Bariyarpur, District- Begusarai, Panchayat Teacher, Primary School Sonvarsa, Kumbhi Block- Cheriya Bariyarpur, District- Begusarai
25. Ashok Kumar, son of Late Sajjan Yadav, Resident of Village- Masuraj, P.S.- Khodawandpur, District- Begusarai, Panchayat Teacher, Primary School Jayanti Gram Karim Tol, Muzaffarpur, Birpur, District- Begusarai
26. Md. Rustam Ali, Son of Md. Yasin, Resident of Village- Mohiddinpur, P.S.- Hasanpur, Distt.- Samastipur, Panchayat Teacher, Upgraded Middle School, Mohiddinpur, Block- Hasanpur, District- Samastipur
27. Md. Satar Ansari, son of Late Md. Hussain, resident of Village- Mohiddinpur, P.S.- Hasanpur, Distt.- Samastipur, Panchayat Teacher, Govt. Upgraded Middle School, Mohiuddinpur, Nayanagar, Block- Hasanpur, District- Samastipur
28. Md. Taslim, S/o Md. Yusuf, resident of village- Saunt, P.S.- Khodawantpur, District- Begusarai, Panchayat Teacher, Govt. Primary Schhol, Sakh Mohan, Teli Tol, Block- Vibhutipur, District- Samastipur
29. Md. Ishtiyaque, Son of Md. Ishhaque, resident of village- Miltola (Jalkaura), P.S.- Khagaria, District- Khagaria, Prakhand (Block) Teacher, Middle School Jalkaura, Block- Khagaria, District- Khagaria
30. Mahendra Singh, Son of Late Narayan Singh, resident of village & Post- Sakhmohan, Police Station- Vibhutipur, District- Samastipur, Panchayat Teacher Govt. Primary School, Narhan, Bibhutipur District- Samastipur
31. Sambhunath Son of Sri Ram Krishna Jha, resident of village & Post- Har Prasad, Police Station- Jandaha, District- Vaishali, Panchayat Teacher Govt. Primary School, Har Prasad East Marai, Jandaha Vaishali
32. Sudama Devi, Daughter of Late Jageshwar Singh, Resident of village- Chakfateh, P.S.- Mahua, District- Vaishali, Panchayat Teacher, Govt.

Primary School, Vishunpur, Madhaul, Mahua, Vaishali
33. Mahesh Kumar Mishra, Son of Late Ram Shobhit Mishra, Resident of village- Basuara, Police Station- Moro, District- Darbhanga, Panchayat Teacher, New Primary School Harpur Harijan Singhwara, Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna
2. The Principal Secretary, Human Resources Development Department, Government of Bihar, Bikas Bhawan, New Secretariat, Patna.
3. The Director, Primary Education, Human Resources Development Department, Government of Bihar, Bikas Bhawan, New Secretariat, Patna.
4. The Director, Research and Training, Government of Bihar, Bikas Bhawan, New Secretariat, Patna.
5. The District Magistrate, Samastipur
6. The District Education Officer, Samastipur
7. The District Superintendent of Education, Samastipur
8. The District Magistrate, Begusarai
9. The District Education Officer, Begusarai.
10. The District Superintendent of Education, Begusarai
11. The District Magistrate, Darbhanga
12. The District Education Officer, Darbhanga
13. The District Superintendent of Education, Darbhanga
14. The District Magistrate, Khagaria
15. The District Education Officer, Khagaria
16. The District Superintendent of Education, Khagaria
17. The District Magistrate, Vaishali
18. The District Education Officer, Vaishali
19. The District Superintendent of Education, Vaishali
20. The Bihar School Examination Board, Sinha Library Road, Patna through its Secretary.
21. The Secretary, Bihar School Examination Board, Sinha Library Road, Patna
22. The Arajkiya Ismail Karim Primary Teacher Training College, Chaknoor, Rahmatpur, Samastipur, through its Secretary
23. The Secretary, Arajkiya Ismail Karim Primary Teacher Training College, Chaknoor, Rahmatpur, Samastipur

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. NIRANJAN KUMAR
For the BSEB: Mr. Girijesh Kumar
For the NCTE: Mr. S. N. Pathak

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 04-08-2015

04.08.2015 Heard learned counsel for the parties.

The issue raised in the present writ application

has also been answered by this Bench in yet another writ application, namely, C.W.J.C. No. 19306 of 2012, decided on 07.03.2013. The reasoning given therein also governs the case of the present petitioners, because the institution is the same, the academic session is the same and the background under which Annexure-1 has come to be issued has also been noticed therein.

The present writ application, therefore, is dismissed on the same rational and reasoning given in the case of Shamim Akhtar.

The decision relied upon by the petitioner in yet another writ application namely C.W.J.C. No. 1800 of 2006 has no application to the present case, especially when the institution in question is different and the facts which were urged therein were different.

(Ajay Kumar Tripathi, J.)

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