

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 2499 of 2012

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1. Upendra Prasad Singh Son of Late Brijanandan Prasad Resident of Village-Saheb Nagar, P.O.-Jut Jumari, P.S. Gaurichak, District-Patna
 2. Sunita Kumari Wife of Sanjay Singh, Daughter of Sri Krishna Chand Singh Resident of Village-Saheb Nagar, P.O. Jat Dumari, P.S.-Gaurichak, District-Patna
 3. Nawal Kishore Son of Sri Yamuna Prasad Resident of Village Gularia Bigha, P.O. Sanda, P.S.-Dhanarua, District-Patna
 4. Anirudha Kumar Singh Son of Late Ram Anugrah Singh, Village Birju Bighaha, P.O.-Jath Dumari, P.S. Gauri Chak, District-Patna
 5. Dinesh Prasad Singh Son of Late Lakhan Singh Resident of Village-Saheb Nagar, P.O.-Jath Dumari, P.S. Gaurichak, District-Patna
 6. Ram Anuj Sah Son of Late Bansi Sah Resident of Village-Saheb Nagar. P.O.-Jath Dumari, P.S. Gaurichak, District-Patna
 7. Vijay Kumar Singh Son of Siya Sharan Singh Resident of Village-Khaira, P.O. Lakhana, P.S. Gaurichak, District-Patna
 8. Chandeshwar Bhagat Son of Late Hari Narayan Bhagat Resident of Village-Khaira, P.O.-Lakhana, P.S. Gaurichak, District-Patna
 9. Surajdeo Choudhary Son of Late Bangali Choudhary Resident of Village and P.O.-Lakhana, P.S. Gaurichak, District-Patna
 10. Vidya Nand Kumar Son of Late Radhe Rai Resident of Village-Rusulpur, P.O.-Jath Dumari, P.S.-Punpun, District-Patna
 11. Chandra Shekhar Verma Son of Late Sant Lal Sinha Resident of Village-Noorichak, P.O.-Jath Dumari, P.S. Gaurichak, District-Patna
 12. Vishwa Mohan Kumar Singh Son of Late Ramdeo Singh, Village + P.O.-Lakhana, P.S.-Gaurichak, District-Patna
 13. Md. Suleman Son of Late Nanhak Mian Resident of Village + P.O.-Lakhana, P.S. Gaurichak, District-Patna
 14. Chandra Kanti Devi Wife of Vijay Vishwakarma Resident of Village and P.O.-Barah, P.S. Punpun, District-Patna
 15. Chandradeo Thakur Son of Late Sanichar Thakur Resident of Village-Sonachak, P.O. Lakhana, P.S.-Gaurichak, District-Patna
 16. Savitri Devi Wife of Late Suresh Prasad Resident of Village-Khaira, P.O.-Lakhana, P.S.-Gauri Chak, District-Patna
 17. Sri Niwas Paswan Son of Late Jaglal Paswan Resident of Village Purenia, P.O. Dehri, P.S. Pipra, Dist. Patna
 18. Kaushal Kumar Son of Indar Mistry Village D.P.O. Barah, P.S. Punpun, District-Patna
 19. Manju Kumari D/O Chandeshwar Mistry, Wife of Ram Pravesh Sharma Village Purenia, P.O. Dehri, P.S. Punpun now Pipra, District-Patna.

.... Petitioners

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Patna
2. The Principal Secretary, Old Secretariat, Patna
3. The Principal Secretary, Department of Personnel and Administrative Reforms, Bihar, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Abinash Chandra Jha

For the Respondent/s : Mr. Raj Kishore Rai, GP-18

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

3. 21-10-2016

Heard Sri Abinash Chandra Jha, learned counsel for petitioners and Sri Raj Kishore Rai, learned Govt. Pleader - 18.

The petitioners have prayed to grant relief, similar to the relief, granted to Supervisors of Non-Formal Education. Petitioners were Instructors. A claim was made that earlier writ petitions filed by the supervisor(s) were allowed by a Bench of this Court. Since the cases of Supervisors and Instructors were on similar footing, at subsequent stage, Instructors also filed writ petitions for granting same relief, which was allowed by a Single Bench of this Court, with a direction to grant the same relief. On appeal preferred by the Government of Bihar against the order of the Single Bench, the Division Bench did not interfere with the order of the Single Bench. However, the Division Bench modified the order of the Single Bench to the extent that the persons, who were functioning at least three years prior to the concerned date, only were entitled to be considered. Again against the order of the Division Bench, an appeal was preferred by the Government of Bihar, which has now been disposed of and dispute has now been set at rest by the Hon'ble Apex Court, vide order dated 26.02.2016 passed in S.L.A (C) No. 32079/2015, which is as follows:

**"We find no infirmity in the order
impugned herein. The Special Leave Petitions**

are dismissed. The relief granted by the High Court shall be restricted to those who approached the High Court who were heard as well as who wanted to get themselves impleaded and those who have filed applications here at par with those former as well as all those petitioner Instructors which are pending as on date before the High Court but shall not apply to any fresh case either here or before the High Court.

Pending applications, if any, stand disposed of."

Learned counsel for petitioners submits that after the order of the Hon'ble Apex Court, a Single Bench of this Court vide its order dated 31.03.2016 passed in C.W.J.C. No. 18011 of 2014 directed to dispose of the matter with a direction to the respondents to decide the claim of the petitioners of the said case in terms of the order of the Hon'ble Apex Court passed in S.L.A. (C) No. 32079/2015.

Accordingly, in terms of the order of the Hon'ble Apex Court passed on 26.02.2016 in S.L.A. (C) 32079/2015 as also order passed by this Court in C.W.J.C. No. 17033 of 2011 & other connected writ petitions, the present writ petition is disposed of with direction to the respondent/State to take decision in the matter, in terms of the order of the Hon'ble Apex Court.

(Rakesh Kumar, J.)

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