

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11305 of 2016

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1. Pawan Kumar son of Ram Chandra Choudhary resident of village - Purushottampur, Post - Amarpura, P.S. - Naubatpur, District - Patna.
 2. Indrajeet Kumar son of Chhotan Paswan resident of village - Gosai math Nawada, Post - Mubarakpur, P.S. - Phulwarisharif, District - Patna.
 3. Rakesh Kumar son of Chhakauri Paswan resident of village - Mamrehur, Post - Chesi, P.S. - Naubatpur, District - Patna.
 4. Sarwan Kumar son of Akhilesh Paswan resident of Village - Hasanpura, Post - Dhibra, P.S. - Janipur, District - Patna.
 5. Dinesh Kumar son of Jay Ram resident of village - Rampur, Post - Pawna, P.S. - Garahani, District - Bhojpur.
 6. Manish Kumar son of Suresh Paswan resident of Village - Tarwan, Post - Suitha, P.S. - Parsa Bazar, District - Patna.
 7. Rakesh Kumar son of Ramesh Das resident of Village - Ram Nagar, Post - Salimpur, P.S. - Salimpur, District - Patna.
 8. Kumar Dharmendra son of Umesh Paswan resident of village - Rampur, Post - Pawna, P.S. - Garahani, District - Bhojpur.
 9. Amit Kumar son of Umender Paswan resident of village - Malahikhanda, Post - Belatrarhi, P.S. - Naubatpur, District - Patna.
 10. Surendra Kumar son of Bhageran Ravidas resident of village - Shahpur, Post - Dhibra, P.S. - Parsa Bazar, District - Patna.
 11. Raj Kumar Mochi son of Lakshman Mochi resident of village - Manertelpa, Post - Bikram, P.S. - Bikram, District - Patna.
 12. Jitendra Kumar son of Chandradev Paswan resident of village - Muradpur, Post - Mobarakpur, P.S. - Janipur, District - Patna.
 13. Devnivas Ram son of Chaturgun Das resident of village - Sabarchak, Post - Shorampur, P.S. - Naubatpur, District - Patna.
 14. Sonu Kumar son of Lalan Paswan resident of village -Jamalpura, Post - Korwan, P.S. - Naubatpur, District - Patna.
 15. Samir Kumar son of Lal Ji Ram resident of village - Nilkanth Tola, Goraiya Asthan, Post - Sadikpur, P.S. - Maner, District - Patna.
 16. Arvind Kumar son of Rajeshwar Prasad resident of village - Laladpur Chauki, Post - Saidabad, P.S. - Ranitalab (Kanpa), District - Patna.
 17. Tarun Kumar son of Chhotan Paswan resident of village - Saristabad, Post - Shorampur, P.S. - Naubatpur, District - Patna.
 18. Tinku Kumar son of Late Ramdeo Das resident of village - Taranpur, Post - Khanpura, P.S. - Khirmod, District - Patna.
 19. Kaushal Kumar son of Rajeshwar Paswan resident of village - Kanpa, Post - Saidabad, P.S. - Rani Talab (Kanpa), District - Patna.
 20. Santosh Kumar son of Pyare Das resident of village - Ram Nagar, Post - Salimpur, P.S. - Salimpur, District - Patna.
 21. Rahul Kumar son of Satish Paswan resident of village - Saverchak, Post - Shorampur, P.S. - Naubatpur, District - Patna.
 22. Ritesh Kumar son of Ashok Chaudhary resident of village - Malah Khandha, Post - Bela Taradha, P.S. - Naubatpur, District - Patna.
 23. Gautam Kumar son of Prem Shankar Paswan resident of village - Gosai math Nawada, Post - Mubarakpur, P.S. - Phulwarisharif, District - Patna.
 24. Ramesh Kumar son of Upendra Chaudhary resident of village - Chak Nawada, Post - Chaknawada, P.S. - Pandarak, District - Patna.
 25. Bhim Kumar son of Nawendra Paswan resident of village - Barki Khddwa,



- Post - Lala Bhadsara, P.S. - Dulhin Bazar, District - Patna.
26. Mithun Kumar son of Binod Paswan resident of village - Malahi Khandha, Post - Bela Trarkhi, P.S. - Naubatpur, District - Patna.
 27. Sumant Kumar son of Anil Paswan resident of village - Malahi Khandha, Post - Bela Trarkhi, P.S. - Naubatpur, District - Patna.
 28. Nitish Kumar son of Prem Kumar resident of village - Amarpura, Post - Anarpura, P.S. - Naubatpur, District - Patna.
 29. Shiv Babu son of Bhasiwan Mochi resident of village - Selhavri, Post - Belhauri, P.S. - Dulhin Bazar, District - Patna.
 30. Chitranjan Kumar son of Lal Bahadur Mochi resident of village - Selhavri, Post - Belhauri, P.S. - Dulhin Bazar, District - Patna.
 31. Amit Kumar son of Jitendra Prasad resident of Saidpur, Post - Makhandunlabad, P.S. - Parasi, District - Arwal.
 32. Jitendra Kumar son of Baijnath Mochi resident of Mishrichak, Post - Naubatpur, P.S. - Naubatpur, District - Patna.
 33. Ravi Kumar son of Baban Paswan resident of village - Piplawan, Post - Piplawan, P.S. - Naubatpur, District - Patna.
 34. Shrawan Kumar son of Abdhesh Paswan resident of village - Kopa Kala, Post - Naubatpur, P.S. - Naubatpur, District - Patna.
 35. Jigar Kumar son of Ram Babu Paswan resident of village - Nahwan, Post - Hansadih, P.S. - Masaurhi, District - Patna.
 36. Raj Kumar son of Dinesh Chaudhary resident of village - Mamrejpur, Post - Chesi, P.S. - Naubatpur, District - Patna.
 37. Dharmendra Kumar son of Late Mohjan Ravidas resident of village - Roriyanwan, Post - Sorampur, P.S. - Janipur, District - Patna.
 38. Kaushal Kumar son of Yogendra Chaudhary resident of village - Amarpura, Post - Anarpura, P.S. - Naubatpur, District - Patna.
 39. Arvind Kumar son of Late Ram Swarup Baitha resident of village - Rajidar Meyari, Post - Bajidpur Meyari, P.S. - Sarai Ranjan, District - Samastipur.
 40. Hare Krishna Ram son of Lakshman Ram resident of village - Karn Dihara, Post - Maniyeh, P.S. - Pawana, District - Bhojpur.
 41. Devendra Kumar Chaudhary son of Tetar Chaudhary resident of village - Makti, Post - Aroua, P.S. - Deo, District - Aurangabad.
 42. Bipin Raj son of Suresh Paswan resident of village - Nagwan, Post - Nagwan, P.S. - Naubatpur, District - Patna.
 43. Piyush Kumar son of Upendra Paswan resident of village - Masaurha Chauki, Post - Masaurha, P.S. - Paliganj, District - Patna.
 44. Nitesh Kumar son of Rajesh Ram resident of Mohalla - R.P.S. Mansarovar Colony, Post - Danapur, P.S. - Danapur, District - Patna.
 45. Chandan Kumar son of Durga Das resident of village - Shahpur, Post - Dhibra, P.S. - Parsa Bazar, District - Patna.
 46. Ganesh Manjhi son of Shankar Manjhi resident of village - Nijampur, Post - Shorampur, P.S. - Janipur, District - Patna.
 47. Guddi Kumari daughter of Hiralal Paswan resident of village - Allvdinchak, Post - Punpun, P.S. - Punpun, District - Patna.
 48. Punam Kumari daughter of Control Manjhi resident of village - Gonpura, P.S. - Janipur, District - Patna.
 49. Chand Kumar son of Vishwanath Paswan resident of village - Udaypur, Post - Nadghat, P.S. -Gaurichak, District - Patna.
 50. Niranjana Kumar son of Vishwanath Paswan resident of village - Udaypur, Post - Nadghat, P.S. -Gaurichak, District - Patna.
 51. Sonam Kumari daughter of Suresh Paswan resident of village - Abbupur, Post -



- Shorampur, P.S. - Janipur, District - Patna.
52. Ajit Kumar son of Surendra Paswan resident of village - Nagwan, Post - Shorampur, P.S. - Janipur, District - Patna.
 53. Uday Shankar son of Shailendra Kumar resident of village - Amarpura, Post - Anarpura, P.S. - Naubatpur, District - Patna.
 54. Anita Kumari daughter of Suresh Das resident of village - Sorampur, Post - Sorampur, P.S. - Dulhin Bazar, District - Patna.
 55. Upendra Chaudhary son of Vinod Chaudhary resident of village - Gausganj, Post - Sidhipur, P.S. - Khirimor, District - Patna.
 56. Rahul Kumar son of Shyam Kumar Das resident of village - Saristabad, Post - Shorampur, P.S. - Naubatpur, District - Patna.
 57. Rajnish Kumar son of Ram Vishun Ravidas resident of village - Saristabad, Post - Shorampur, P.S. - Naubatpur, District - Patna.
 58. Manish Kumar son of Chandra Shekhar Paswan resident of village - Narhi, Post - Dihuti, P.S. - Dulhin Bazar, District - Patna.
 59. Dharmendra Kumar son of Bishnukant Azad resident of village - Saristabad, Post - Shorampur, P.S. - Naubatpur, District - Patna.
 60. Chintu Kumar son of Jatshiv Paswan resident of village - Barhainakol, Post - Paimar Ghat, P.S. - Punpun, District - Patna.
 61. Pintu Kumar son of Subedar Paswan resident of village - Noormohiuddinpur, Post - Punpun, P.S. - Parsa Bazar, District - Patna.
 62. Keshav Kumar son of Shital Ravidas resident of village - Saristabad, Post - Shorampur, P.S. - Gaurichak, District - Patna.
 63. Jitendra Kumar son of Baldev Paswan resident of village - Bhusaula Danapur, Post - Mubarakpur, P.S. - Phulwarisharif, District - Patna.
 64. Ramanand Kumar son of Bhola Ram resident of village - Hiranmanpur, Post - Painal, P.S. - Bihta, District - Patna.
 65. Sangeeta Kumari daughter of Kameshwar Mochi resident of village - Hiranmanpur, Post - Painal, P.S. - Bihta, District - Patna.
 66. Devenand Kumar son of Bhola Ram resident of village - Hiranmanpur, Post - Painal, P.S. - Bihta, District - Patna.
 67. Mahanand Kumar son of Narendra Ram resident of village - Hiranmanpur, Post - Painal, P.S. - Bihta, District - Patna.
 68. Ritesh Kumar Das son of Rajeshwar Das resident of village - Hiranmanpur, Post - Painal, P.S. - Bihta, District - Patna.
 69. Upendra Kumar Ram son of Ram Naresh Ram resident of Pandaychak, Post - Bishnupur, P.S. - Bihta, District - Patna.
 70. Satendra Kumar son of Naresh Ram resident of Pandaychak, Post - Bishnupur, P.S. - Bihta, District - Patna.
 71. Sunil Kumar Chaudhary son of Bhola Chaudhary resident of village - Bari Khagaul, Post - Khagaul, P.S. - Khagaul, District - Patna.
 72. Mamta Kumari daughter of Gyanchand Chaudhary resident of village - Saristabad, Post - Shorampur, P.S. - Naubatpur, District - Patna.
 73. Shashikant Paswan son of Awadhesh Paswan resident of village - Sahadpura, Post - Pasaur, P.S. - Charokhari, District - Bhojpur.
 74. Bhupendra Kumar son of Rajdeo Paswan resident of Saristabad, Post - Sorampur, P.S. - Naubatpur, District - Patna.
 75. Rakesh Kumar son of Pyare Ram resident of village - Hiranmanpur, Post - Painal, P.S. - Bihta, District - Patna.
 76. Nishant Kumar son of Raj Ballabh Ram resident of village - Selhauri, Post - Belhauri, P.S. - Dulhinbazar, District - Patna.

.... Petitioners



Versus

1. The State of Bihar represented through the Chief Secretary, Govt. of Bihar, Patna.
2. The Secretary, Scheduled Castes and Scheduled Tribes Welfare Department, Govt. of Bihar, Patna.
3. The District Welfare Officer, Patna.
4. The Union of India through the Secretary, Ministry of Social Justice and Empowerment, Shastri Bhawan, New Delhi.
5. The Principal, Creative Industrial Training Center, Village - Naharpura, P.S. - Janipur, District - Patna.
6. The Principal, Jagatrain Kunwar Pvt. I.T.I. Village - Aropur, P.S. - Naubatpur, District - Patna.

.... Respondents

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Appearance :

For the Petitioners	:	Mr. Shailesh Kumar Sharma, Advocate
For the State	:	Mr. Shailesh Kumar, AC to GP5
For U.O.I.	:	Mrs. Nivedita Nirvikar, CGC
		Mr. S.D. Sanjay, A.S.G.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 15-12-2016

Heard counsel for the petitioners and counsel for the State.

2. So far as circular dated 16.05.2016, which has been annexed as Annexure-D to the supplementary counter affidavit is concerned, this Court will refrain from making any comments on the correctness or otherwise on such policy decision. However, the Court will not hesitate to certify that this circular will have prospective effect from 16.05.2016 and may relate to the financial year 2015-16.

3. However, with regard to payment of scholarship to these petitioners are concerned, if these scholarships are due and are prior to the financial year 2015-16, the State has obligation to pay the



scholarship in terms of the previous circulars and by the rate, which was prescribed then.

4. Such a decision for payment and release of funds must be taken and must accrue to the petitioners within a period of three months from the date of production of a copy of this order.

5. Writ is allowed in terms of the above.

(Ajay Kumar Tripathi, J.)

S.Kumar/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.12.2016
Transmission Date	NA

