

## IN THE HIGH COURT OF JUDICATURE AT PATNA

### Civil Writ Jurisdiction Case No.8897 of 2017

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1. Suman Baitha, Son of Shri Rajendra Baitha, Resident of Village: Shahpur, Post Office- Shahpur, Police Station- Nautan , District- Siwan, at Present Posted and working as Panchayat Teacher in govt. Newly Created Primary School Baraso, Block- Mairwa, District- Siwan.
  2. Shilpa Sharma, Daughter of Sri Janardan Sharma, Wife of Shri Prakash Kumar Thakur Resident of Village- Shahpur, Mishrawali, Police Station- Nautan, District- Siwan, at Present Posted and working as Panchayat Teacher in Govt. new Primary School, Dhusa, Block- Mairwa, District- Siwan.
  3. Poonam Devi, Daughter of Ramesh Chandra Kushwaha, Wife of Yogendra Singh Resident of Village- Misirchak, Post Office- Shahpur, Police Station- Nautan, District- Siwan. At Present Posted and working as Panchayat Teacher in Govt. new Primary School, Dhusa, Block- Mairwa, District- Siwan.
  4. Kumari Kiran Yadav, Daughter of Janardan Yadav, Wife of Sri Binay Kumar Yadav Resident of Village- Pratappur, Post Office- Shahpur, Police Station- Nautan, District Siwan. At Present Posted and working as Panchayat Teacher in Govt. new Primary School, Baraso, Block- Mairwa, District- Siwan.
  5. Raushan Khatoon, Daughter of Nizamuddin , Wife of Parvez Khan Resident of Village- Kajimuhala Siwan, Police Station- Siwan town, District- Siwan. At Present Posted and working as Panchayat Teacher in Govt. new Primary School, Baraso, Block- Mairwa, District- Siwan.

.... .... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The District Magistrate, Siwan.
5. The District Education Officer, Siwan.
6. The District Programme Officer (Establishment), Siwan.
7. The Block Development Officer, Mairwa, District- Siwan.
8. The Block Education Officer, Mairwa, District- Siwan.
9. The Mukiya-cum-the Chairman of Panchayat Teacher Selection Committee, Gram Panchayat Raj Semra, Block- Mairwa, District- Siwan.
10. The Panchayat Secretary-cum-Member Secretary of Panchayat Teacher Selection Committee , Gram Panchayat Raj Semara, Block- Mairwa, District- Siwan.
11. The Drawing Disbursing-cum-Headmaster of New Primary School, Baraso, Block-Mairwa, District- Siwan.
12. The Drawing Disbursing-cum-Headmaster of New Primary School, Dhusa, Block- Mairwa, District- Siwan.

.... .... Respondent/s

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#### Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate  
For the Respondent/s : Mr. Dharendra Kr. Roy, AC to SC-13

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**



ORAL JUDGMENT

**Date: 21-12-2017**

Heard learned counsel for the petitioners and the counsel for the State.

Mr. Umesh Kumar Mishra, counsel for the petitioners submits that the case of the petitioners' is covered by the judgment of this Court contained in Annexures-11 and 12 to this application.

In view of the fact that the Co-ordinate Bench of this Court has already decided the issue vide order dated 03.03.2017 passed in C.W.J.C. No. 12350 of 2016 and order dated 11.05.2017 passed in C.W.J.C. No. 417 of 2015 and order dated 04.12.2017 passed in C.W.J.C. No.17657 of 2017, the writ application is also disposed of with a direction to the respondent District Programme Officer (Establishment), Siwan, who shall examine the case of the petitioners and if the case of the petitioners is found similar to that of petitioners in C.W.J.C. No. 12350 of 2016, C.W.J.C. No. 417 of 2015 and C.W.J.C. No.17657 of 2017, similar benefits should be extended to these petitioners also. Such decision must be taken within a period of 60 days from the date of receipt/production of a copy of this order.

In the event, the respondent does not find the case of the petitioners similar to other petitioners of other writ applications, the respondent is required to assign the specific reason for refusing



such benefits to these petitioners.

With the aforesaid, the writ application stands disposed of.

**(Anil Kumar Upadhyay, J)**

Uday/-

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| AFR/NAFR          | NAFR     |
| CAV DATE          | NA       |
| Uploading Date    | 2.1.2018 |
| Transmission Date | NA       |

