

## IN THE HIGH COURT OF JUDICATURE AT PATNA

### Civil Writ Jurisdiction Case No.6037 of 2017

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1. Smt. Sumitra Kumari Yadav (Lecturer) W/o Shree Bipul Ray, Resident of Village- Bachha Prasad Singh Inter College, P.S. and P.O. Keshariya District West Champaran (Bihar).
  2. Shree Ramayan Ray (Lecturer) S/o Shree Satya Naraan Ray, Resident of P.S. College, Kesariya Distt. East Champaran.
  3. Shree Dayanand (Lecturer) S/o Late Shayam Narayan Prasad Verma Resident of S.P. No. College Sugauli, District- East Champaran.
  4. Shree Vijay Kumar Singh (Lecturer) S/o Shree Sheo Shanker Prasad Sinha Resident of B.S. College Machushan Distt East Champaran.
  5. Shree Virendra Prasad (Lecturer) S/o Shree Ramashray Prasad Resident of R.P.B.D. Inter College Pipra District- East Champaran.
  6. Md. Razwan Ahmad (Professor) Resident of S.K. Thakur DPTS College Bara Chapra District East Champaran.
  7. Shree Sanjay Kumar (Lecturer) S/o Shree Mathura Prasad, Resident of D.P.T.S. Inter College Chakia, District- East Champaran.
  8. Shree Ram Prasad Pandey (Lecturer) S/o Shree Chandriak Nath Pandey Resident of D.P.T.S. Inter College Bara, District- East Champaran.
  9. Shree Chakerjai Prasad (Lecturer) S/o Shree Ram Sirat Ray Resident of S.N.K. College Chaurataso District East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Higher Secondary, Education Deptt. Govt. of Bihar.
2. The Chairman, the Bihar State Intermediate Education Council, Patna.
3. The Chairman, the Bihar State School Examination Board, Bihar, Patna.
4. The Secretary, Bachha Prasad Singh College Keshariya East Champaran.
5. The Secretary S.P. Nayak College Sugauli East Champaran.
6. The Secretary Bhagwan Singh College Madhuban East Champaran.
7. The Secretary Kameshwar Prasad Bhagwati Devi Intermediate College, Pipra Station East Champaran.



.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Pritam Kumar, Advocate

For the Respondent/s : Mr. Lalit Kishore, Sr. Advocate

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**

**ORAL JUDGMENT**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date: 30-06-2017**

Petitioners are Lecturers and Teachers working in the institutes in the State of Bihar and claim parity in the matter of payment of pay-scale and other benefits and seek enforcement of the principle of equal work for equal wages and other service benefits.

2. Apart from the fact that the petitioners themselves are aggrieved persons and, therefore, a Public Interest Litigation at their instance is not maintainable. The Supreme Court in the case of **Bholanath Mukherjee & Others Vs. Ramakrishna Mission Vivekananda Centenary College & Others- (2011) 5 Supreme Court Cases 464** and the Delhi High in the case of **Forum of SC and ST Legislators and Parliamentarians Vs. Oil and Natural Gas Corporation Ltd. & Another (WP (C) No. 1698 of 2017) decided on 27.02.2017** have laid down the principles that with regard to service matters a Public Interest Litigation is not maintainable.



3. In view of the above, we are not inclined to interfere into the matter. Granting liberty to the petitioners to take recourse to the remedy available to them, this Public Interest Litigation stands disposed of.

**(Rajendra Menon, CJ)**

**(Anil Kumar Upadhyay, J)**

P.K.P.

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