

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11067 of 2016

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1. Ashok Kumar Sinha, S/o - Late Bhola Prasad Sinha, Resident of Village- Baraini, P.O- Baraini, P.S- Kahalgaon, Dist- Bhagalpur.
 2. Dinesh Kumar Singh, S/o- Late Banarsi Prasad Singh, Resident of Village- Kehanichak, P.O. Shambhuganj, P.S- Shambhuganj, Distt- Banka.
 3. Kiran Kumari, W/o- Surendra Kumar Singh, Resident of Village- Chaturchak, P.O- Udhadih, P.S- Sultanganj.
 4. Babita Kumar, W/o Ashok Kumar Sinha Resident of Village- Baraini, P.O- Baraini, P.S- Kahalgaon, Dist- Bhagalpur.
 5. Sarita Kumari, W/o- Ganesh Kumar Sinha, Resident of Village- Rampur, P.S.- Kahalgaon, Dist- Bhagalpur.
 6. Niranjana Prasad Ram, S/o- Bhola Prasad Ram, Resident of Village- Baraini, P.O- Baraini, P.S- Kahalgaon, Dist- Bhagalpur.
 7. Priyavrat Kumar, S/o- Ram Naresh Mahato, Resident of Village- Kisnichak, P.O. Ammapai, P.S- Barahatishipur, Dist- Bhagalpur.
 8. Ramesh Kumar S/o- Kishori Ram, Resident of Village- Simanpur, P.O- Saidpur, P.S- Pirpainiti, Dist- Bhagalpur.

.... Petitioners

Versus

1. The State of Bihar through its Commissioner-Cum-Secretary, Education Department, Government of Bihar, Patna.
2. The Commissioner-Cum-Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Mass Education, Education Department, Government of Bihar, Patna.
4. The Principal Secretary, Department of Personnel and Administrative Reforms, Govt. of Bihar, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Respondent/s : Mr. Arvind Kumar, AC to GA-9

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 15-05-2017

Leave is granted to the petitioners to add the Principal Secretary, Department of Personnel and Administrative Reforms, Govt. of Bihar, Patna as respondent no.4 during the course of the day in the pleadings of the Court as well as in the pleadings of the State Counsel.



Heard learned counsel for the parties.

The petitioners claiming to be Ex-Instructor under Non-formal Education Programme seek a direction to the respondents for absorption against Class III/ Class IV post of Education Supervisors.

Mr. Sanjay Kumar, learned counsel for the petitioners and Mr. Arvind Kumar, AC to GA-9, are in agreement that the case of the present petitioners is covered by the judgment and order of this Court passed in C.W.J.C.No. 384/2017 and analogous cases and a direction issued in the said batch of writ petitions would govern the present case as well.

This Court while examining the issue of absorption of Instructor engaged under Non-formal Education Programme, who were disengaged on the closure of the Scheme in 2001 like the petitioners and who had claimed similar relief before this Court in C.W.J.C.No. 384/2017 and analogous cases, has taken note of the various stages through which the issue has traveled up to the Supreme Court and after examining the legal position and developments that has taken place that the batch of writ petitions in C.W.J.C.No. 384/2017 and analogous cases was disposed of with a direction to respondents no. 2 to 4 i.e. the Principal Secretary, Education Department, the Principal Secretary, Personnel and Administrative Reforms Department and the Director, Mass Education, Govt. of



Bihar, Patna to consider the claim of the petitioner in the backdrop of the issue settled by this Court as taken note of in the judgment and dispose of the claim within a maximum period of three months from the date of receipt/ production of a copy of this order.

Since there is no dispute that these petitioners are also Ex-Instructor disengaged on the closure of the Scheme under Non-formal Education Programme, in the nature of the relief so claimed, I deem it proper to dispose of this writ petition on the same term and by the same direction as passed in C.W.J.C.No. 384/2017 and analogous cases with a direction to respondents no. 2 to 4 to consider the claim of the petitioners and dispose of the same in the light of the legal position taken note of in the judgment and order passed in C.W.J.C.No. 384/2017 and analogous cases within a maximum period of three months from the date of receipt/ production of a copy of this order.

With the aforementioned observation and direction, the writ petition is disposed of.

(Jyoti Saran, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.05.2017
Transmission Date	NA

