

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14784 of 2016

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Smt. Shashikala wife of Krishna Jee Srivastava resident of Pusp Vihar Colony, Bhadra Ghat, P.O.- Gulzarbag, P.S. Alamganj, District-Patna-7

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Human Resources Development Department, (Now Education Department) Government of Bihar, Patna
2. The Director, (Administration), Department, of Human Resources Development Department, (Now Education Department), Government of Bihar, Patna Govt. of Bihar, Patna
3. The Director, (Secondary Education), Department, of Human Resources Development Department, (Now Education Department), Government of Bihar, Patna
4. The Regional Deputy Director of Education, Patna Division, Patna

.... Respondents

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with

Civil Writ Jurisdiction Case No.14823 of 2016

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Smt. Renu Kumari Wife of Late Ram Prakash Tiwari Resident at Godawari Apartment, B/6, Third Block, 2nd Floor, Ashiana Digha Road, Near Passport Office, P.O. Veterinary College, P.S. Shastri Nagar, District Patna 14

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources Development Department, (Now Education Department), Government of Bihar, Patna
2. The Director (Administration), Department of Human Development Department, (Now Education Department), Government of Bihar, Patna
3. The Director (Secondary Education), Department of Human Resources Development Department, (Now Education Department), Government of Bihar, Patna
4. The Regional Deputy Director of Education, Patna Division, Patna

.... Respondents

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with

Civil Writ Jurisdiction Case No.14824 of 2016

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Smt. Usha Kiran Sinha Wife of Sri Arvind Kumar Singh Resident of Mohalla - Rajeev Nagar, Road No. 24/D, Post office Keshri Nagar, P.S. Rajeev Nagar, District Patna 24

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources Development Department, (Now Education Department), Government of Bihar, Patna
2. The Director (Administration), Department of Human Resources Development Department, (Now Education Department), Government of



Bihar, Patna
3. The Director (Secondary Education), Department of Human Resources Development Department, (Now Education Department), Government of Bihar, Patna
4. The Regional Deputy Director of Education, Patna Division, Patna
..... Respondents

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with

Civil Writ Jurisdiction Case No.14870 of 2016

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Vaijanti Kumari, Wife of Sri Sunil Kumar Sinha, Resident of Flat No. 205, Smriti Apartment, D.V.C. Chowk, Jakkanpur, Patna-1.
..... Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources Development Department, (Now Education Department), Government of Bihar, Patna.
2. The Director (Administration), Department of Human Resources Development Department, (Now Education Department), Government of Bihar, Patna.
3. The Director (Secondary Education), Department of Human Resources Development Department, (Now Education Department), Government of Bihar, Patna.
4. The Regional Deputy Director of Education, Patna Division, Patna.
..... Respondents

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with

Civil Writ Jurisdiction Case No.14939 of 2016

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Dr. Kusum Kumari, Wife of Sri Anil Kumar Sinha, Resident of Panchwati Colony, Beur, Anisabad, Near Satya Gas Godown, Patna.
..... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources Development Department, (Now Education Department), Government of Bihar, Patna.
2. The Director (Administration), Department of Human Resources Development Department, (Now Education Department), Government of Bihar, Patna.
3. The Director (Secondary Education), Department of Human Resources Development Department, (Now Education Department), Government of Bihar, Patna.
4. The Regional Deputy Director of Education, Patna Division, Patna.
..... Respondents

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with

Civil Writ Jurisdiction Case No.14940 of 2016

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Smt. Manju Kumari, Wife of Sri Madan Mohan Prasad, Resident of Maurya Path, Finance Department Colony, Khajpura, Patna, P.O. Veterinary College, P.S. Rajeev Nagar, District- Patna-14.
..... Petitioner



Versus

- 1. The State of Bihar through the Principal Secretary, Department of Human Resources Development Department, (Now Education Department), Government of Bihar, Patna.
- 2. The Director (Administration), Department of Human Resources Development Department, (Now Education Department), Government of Bihar, Patna.
- 3. The Director (Secondary Education), Department of Human Resources Development Department, (Now Education Department), Government of Bihar, Patna.
- 4. The Regional Deputy Director of Education, Patna Division, Patna.

.... Respondents

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with

Civil Writ Jurisdiction Case No.14959 of 2016

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Smt. Meena Singh Wife of Sri Umashankar Priyadarshi Resident of Budha Nagar, Road No.2, Postal Park, Chiraiyatand, Patna-1.

... Petitioner

Versus

- 1. The State of Bihar through the Principal Secretary, Department of Human Resources Development Department, (Now Education Department), Government of Bihar, Patna.
- 2. The Director (Administration), Department of Human Resources Development Department, (Now Education Department), Government of Bihar, Patna.
- 3. The Director (Secondary Education), Department of Human Resources Development Department, (Now Education Department), Government of Bihar, Patna.
- 4. The Regional Deputy Director of Education, Patna Division, Patna.

.... Respondents

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with

Civil Writ Jurisdiction Case No.14981 of 2016

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Smt. Asha Singh Wife of Sri Anil Kumar Resident of Bhootnath road, Pharmaceutical Colony, Bahadurpur Housing Colony, Patna-26

.... Petitioner

Versus

- 1. The State of Bihar through the Principal Secretary, Department of Human Resources Development Department, (Now Education Department) Government of Bihar, Patna
- 2. The Director, (Administration), Department, of Human Resources Development Department, (Now Education Department), Government of Bihar, Patna)
- 3. The Director, (Secondary Education), Department, of Human Resources Development Department, (Now Education Department), Government of Bihar, Patna
- 4. The Regional Deputy Director of Education, Patna Division, Patna

.... Respondents

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with



Civil Writ Jurisdiction Case No.17434 of 2016

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Smt. Prem Lata, Wife of Pankaj Kumar Sandhwar, Resident of Mohalla-Bajidpur, P.O.- Barh R.S., P.S. Barh, District- Patna.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources Development Department, (Now Education Department), Government of Bihar, Patna.
2. The Director (Administration), Department of Human Resources Development Department, (Now Education Department), Government of Bihar, Patna.
3. The Director (Secondary Education), Department of Human Resources Development Department, (Now Education Department), Government of Bihar, Patna.
4. The Regional Deputy Director of Education, Patna Division, Patna.

.... Respondents

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with

Civil Writ Jurisdiction Case No.17544 of 2016

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Saroj Kumari, wife of Sri Kamla Prasad, Resident of Village Gulab Nagar, P.S. Islampur and Dist. Nalanda and presently posted at Assistant Teacher Government Girls High School, Gaya, Situated at Mohalla Ramana, P.O. Head Post Office, P.S. Police Line and Dist. Gaya.

.... Petitioner

Versus

1. The State of Bihar, through Principal Secretary Secondary Education New Secretariat Patna Bihar.
2. The Director Secondary Education, Govt of Bihar, Patna
3. Regional Deputy Director Magadh Division Gaya
4. The District Education Officer, Gaya
5. The District Programme Officer Establishment, Gaya

.... Respondents

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with

Civil Writ Jurisdiction Case No.17605 of 2016

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Anita Mehta wife of Sri Vijay Kumar Sinha resident of Mohalla - DIET Campus Panchayati Akhara, Gaya and presently posted at DIET Practising Middle School, Gaya at P.O. and District Gaya.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary Secondary Education, New Secretariat, Patna, Bihar.
2. The Director Secondary Education, Govt. of Bihar, Patna.
3. Regional Deputy Director Magadh Division, Gaya.
4. The District Education Officer, Gaya.
5. The District Programme Officer (Establishment), Gaya.

.... Respondents

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with



Civil Writ Jurisdiction Case No.17641 of 2016

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Pushpa Kumari aged about 48 years wife of Sri Ram Pramod Singh, Resident of Village Dihra (Ram Sangh) P.O. Mudhari P.S. Harnaut and Dist. Nalanda Bihar and presently posted at Nawadah Govt. Girls Middle School, Prasad Bigha at P.O. and District Nawadah.

.... Petitioner

Versus

1. The State of Bihar, through Principal Secretary Secondary Education New Secretariat Patna Bihar.
2. The Director Secondary Education, Govt. of Bihar, Patna.
3. Regional Deputy Director Magadh Division Gaya.
4. The District Education Officer, Nawadah.
5. The District Programme Officer (Establishment), Nawada.

.... Respondents

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with

Civil Writ Jurisdiction Case No.17780 of 2016

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Kushum Lata Wife of Sri Satish Kumar, resident of Mohalla Neora Colony, P.S. Khagaul and District Patna and presently posted at Government Girls High School, Gaya, situated at mohalla Ramana, P.O. Head Post office, P.S. Police Line and Dist. Gaya.

.... Petitioner

Versus

1. The State of Bihar, through Principal Secretary Secondary Education New Secretariat, Patna Bihar.
2. The Director Secondary Education, Govt. of Bihar, Patna.
3. Regional Deputy Director Magadh Division Gaya.
4. The District Education officer, Gaya.
5. The District Programme officer, Establishment, Gaya.

.... Respondents

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with

Civil Writ Jurisdiction Case No.17795 of 2016

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Ranjana Kumari Wife of Sri Avinash Chandra Resident of Village-Juafar Bazar P.O. Nirpur P.S. Nalanda and Dist. Nalanda Bihar and Presently Posted at Government Girls School, Jehanabad P.O., P.S. and District Jehanabad

.... Petitioner

Versus

1. The State of Bihar, through the Principal Secretary, Secondary Education, New Secretariat Patna Bihar Govt. of Bihar, Patna
2. The Director Secondary Education, Govt. of Bihar, Patna
3. The Regional Deputy Director, Magadh Division Gaya
4. The District Education Officer, Jehanabad
5. The District Programme Officer, Establishment, Jehanabad

.... Respondents

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with

Civil Writ Jurisdiction Case No.18368 of 2016



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Veena @ Veena Singh Wife of Vikash Kumar Singh, resident of Girls' Middle School, Jamui, P.S. Jamui, Dist. Jamui.

.... Petitioner

Versus

1. The State of Bihar through Regional Deputy Director of Education, Munger.
2. Principal Secretary, Dept. of Education Government of Bihar, Patna.
3. Director (Administration)-cum-Additional Secretary, Secondary Education, Govt. of Bihar, Patna.
4. Director, Secondary Education, Govt. of Bihar, Patna.
5. Regional Deputy Director of Education, Munger.
6. District Education Officer, Jamui.
7. District Program Officer (Establishment/Secondary Education), Jamui.

.... Respondents

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with

Civil Writ Jurisdiction Case No.18673 of 2016

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Chandrawati Sinha Wife of Shri Upendra Kumar Sinha, Resident of Hasanpur Chaitala Nalapur, near Shivam Apartment, P.S. Kadamkuan, Patna-4.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Secondary Education Government of Bihar, Patna.
4. Regional Deputy Director, Patna Division, Government of Bihar, Patna.
5. Principal Government Girls High School, Bankipur, Patna.

.... Respondents

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with

Civil Writ Jurisdiction Case No.19774 of 2016

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Kiran Kumari, D/o Late Chandradeo Thakur, W/o Sri Om Prakash Thakur, resident of Mohalla- Azad Tola, Ward No.- 9, P.S.- Madhepura, District-Madhepura.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Human Resource Development Department, Bihar, Patna.
2. The Director, Secondary Education, Government of Bihar, Patna.
3. The Regional Deputy Director of Education, Kosi Division, Saharsa.
4. The District Magistrate, Saharsa.
5. The District Education Officer, Saharsa.
6. The District Programme Officer, Establishment, Saharsa.
7. The Headmaster, Govt. Girls Middle School, Saharsa.

.... Respondents

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with



Civil Writ Jurisdiction Case No.237 of 2017

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Geeta Kumari, W/o Sri Binod Prasad Sinha, R/o Mohalla - Deep Nagar,
Road No. 2, Near Shiv Mandir, Patna City, P.S. - Mehandiganj, District -
Patna.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Commissioner-cum-Secretary, Human Resources Development Department, Government of Bihar, Patna.
4. The Director, Secondary Education, Government of Bihar, Patna.
5. The Director, Primary Education, Department of Education, Bihar, Patna.
6. The Deputy Director, Secondary Education Department of Education, Bihar, Patna.
7. The Regional Deputy Director, Patna Division, Patna.

.... Respondents

Appearance :

(In CWJC No.14784 of 2016)

For the Petitioner/s : Mr. Harendra Prasad Singh, Adv.
Mr. Santosh Kumar, Adv.

For the Respondent/s : Mr. Jitendra Kr. Roy No. 1- SC13
(In CWJC No.14823 of 2016)

For the Petitioner/s : Mr. Harendra Prasad Singh, Adv.
Mr. Santosh Kumar, Adv.

For the Respondent/s : Mr. Madhaw Pd. Yadav- GP23
Mr. Sanjay Kumar, AC to GP23

(In CWJC No.14824 of 2016)

For the Petitioner/s : Mr. Harendra Prasad Singh, Adv.
Mr. Santosh Kumar, Adv.

For the Respondent/s : Mr. Madhaw Prasad Yadav-GP23
Mr. Rajesh Kumar Sinha, AC to GP23

(In CWJC No.14870 of 2016)

For the Petitioner/s : Mr. Harendra Prasad Singh, Adv.
Mr. Santosh Kumar, Adv.

For the Respondent/s : Mr. Madanjeet Singh- GP20

(In CWJC No.14939 of 2016)

For the Petitioner/s : Mr. Harendra Prasad Singh, Adv.
Mr. Santosh Kumar, Adv.

For the Respondent/s : Mr. Kameshwar Kumar- GP17
Mr. Sanjay Kumar, AC to GP17

(In CWJC No.14940 of 2016)

For the Petitioner/s : Mr. Harendra Prasad Singh, Adv.
Mr. Santosh Kumar, Adv.

For the Respondent/s : Mr. Ashutosh Ranjan Pandey- AAG15
(In CWJC No.14959 of 2016)

For the Petitioner/s : Mr. Harendra Prasad Singh, Adv.
Mr. Santosh Kumar, Adv.

For the Respondent/s : Mr. Prabhakar Jha- GP27



(In CWJC No.14981 of 2016)

For the Petitioner/s : Mr. Harendra Prasad Singh, Adv.
Mr. Santosh Kumar, Adv.

For the Respondent/s : Ms. Shilpa Singh-GA12
Ms. Abhanjalli, AC to GA12

(In CWJC No.17434 of 2016)

For the Petitioner/s : Mr. Harnedra Prasad Singh, Adv.
Mr. Santosh Kumar, Adv.

For the Respondent/s : Ms. Shilpa Singh-GA12
Ms. Abhanjalli, AC to GA12

(In CWJC No.17544 of 2016)

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

For the Respondent/s : Mr. Kameshwar Kumar-GP17

(In CWJC No.17605 of 2016)

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

For the Respondent/s : Mr. Madhaw Pd. Yadav- GP23
Mr. Arvind Kumar, AC to GP23

(In CWJC No.17641 of 2016)

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

For the Respondent/s : Mr. Madhaw Pd. Yadav- GP23
Smt. Meera Singh, AC to GP23

(In CWJC No.17780 of 2016)

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

For the Respondent/s : Mr. Madanjeet Singh- GP20

(In CWJC No.17795 of 2016)

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

For the Respondent/s : Mr. Kameshwar Kumar- GP17
Mr. Arbind Kumar, AC to GP17

(In CWJC No.18368 of 2016)

For the Petitioner/s : Mr. Alok Kumar, Adv.
Mr. Prabhat Ranjan Singh, Adv.

For the Respondent/s : Mr. Madanjeet Singh-GP20
Mr. Rajeev Ranjan, AC to GP20

(In CWJC No.18673 of 2016)

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

For the Respondent/s : Mr. Subhash Chandra Mishra SC 16

(In CWJC No.19774 of 2016)

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

For the Respondent/s : Mr. Madhukar Mishra, AC to SC16

(In CWJC No.237 of 2017)

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

For the Respondent/s : Mr. Madanjeet Singh- GP20
Mr. Rajeev Ranjan, AC to GP20

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER



2 18-01-2017 Learned counsel for the petitioners and the learned counsel for the State are present.

Learned counsel for the parties are in agreement that the issue raised in the present writ petitions stands covered by the judgment and order of this Court passed in C.W.J.C.No. 17904/2016 (Shanti Kumari v. the State of Bihar & ors.) and other analogous cases, which were allowed with certain directions on 17.1.2017.

For the reasons and discussions which govern the judgment and order passed in C.W.J.C.No. 17904/2016 (Shanti Kumari v. the State of Bihar & ors.) all these writ petitions are allowed on similar terms and similar liberty granted thereunder.

In consequence the order(s) of termination:

(a) bearing Memo No. 1023 dated 24.8.2016 passed by the Regional Deputy Director of Education, Patna Division, impugned at Annexure 9 in C.W.J.C.No. 14784/2016, in so far as it concerns the petitioner;

(b) bearing Memo No. 1023 dated 24.8.2016 passed by the Regional Deputy Director of Education, Patna Division, Patna, impugned at Annexure 8 in C.W.J.C.No. 14823/2016, in so far as it concerns the petitioner;

(c) bearing Memo No. 1023 dated 24.8.2016 passed by the



Regional Deputy Director of Education, Patna Division, Patna, impugned at Annexure 8 in C.W.J.C.No. 14824/2016, in so far as it concerns the petitioner;

(d) bearing Memo No. 1023 dated 24.8.2016 passed by the Regional Deputy Director of Education, Patna Division, Patna, impugned at Annexure 7 in C.W.J.C.No. 14870/2016, in so far as it concerns the petitioner;

(e) bearing Memo No. 1023 dated 24.8.2016 passed by the Regional Deputy Director of Education, Patna Division, Patna, impugned at Annexure 10 in C.W.J.C.No. 14939/2016, in so far as it concerns the petitioner;

(f) bearing Memo No. 1023 dated 24.8.2016 passed by the Regional Deputy Director of Education, Patna Division, Patna, impugned at Annexure 8 in C.W.J.C.No. 14940/2016, in so far as it concerns the petitioner;

(g) bearing Memo No. 1023 dated 24.8.2016 passed by the Regional Deputy Director of Education, Patna Division, Patna, impugned at Annexure 9 in C.W.J.C.No. 14959/2016, in so far as it concerns the petitioner;

(h) bearing Memo No. 1023 dated 24.8.2016 passed by the Regional Deputy Director of Education, Patna Division, Patna, impugned at Annexure 9 in C.W.J.C.No. 14981/2016, in so far as



it concerns the petitioner;

(i) bearing Memo No. 1023 dated 24.8.2016 passed by the Regional Deputy Director of Education, Patna Division, Patna, impugned at Annexure 9 in C.W.J.C.No. 17434/2016, in so far as it concerns the petitioner;

(j) bearing Memo No. 698 dated 26.8.2016 passed by the Regional Deputy Director of Education, Magadh Division, Gaya, impugned at Annexure 1 in C.W.J.C.No. 17544/2016;

(k) bearing Memo No. 699 dated 26.8.2016 passed by the Regional Deputy Director of Education, Magadh Division, Gaya, impugned at Annexure 1 in C.W.J.C.No. 17605/2016;

(l) bearing Memo No. 702 dated 26.8.2016 passed by the Regional Deputy Director of Education, Magadh Division, Gaya, impugned at Annexure 1 in C.W.J.C.No. 17641/2016;

(m) bearing Memo No. 697 dated 26.8.2016 passed by the Regional Deputy Director of Education, Magadh Division, Gaya, impugned at Annexure 1 in C.W.J.C.No. 17780/2016;

(n) bearing Memo No. 700 dated 26.8.2016 passed by the Regional Deputy Director of Education, Magadh Division, Gaya, impugned at Annexure 1 in C.W.J.C.No. 17795/2016;

(o) bearing Memo No. 1427 dated 5.10.2016 passed by the Regional Deputy Director of Education, Munger Division,



Munger, impugned at Annexure 1 in C.W.J.C.No. 18368/2016, in so far as it concerns the petitioner;

(p) bearing Memo No. 1023 dated 24.8.2016 passed by the Regional Deputy Director of Education, Patna Division, Patna, impugned at Annexure P7 in C.W.J.C.No. 18673/2016, in so far as it concerns the petitioner;

(q) bearing Memo No. 1656 dated 24.8.2016 passed by the Regional Deputy Director of Education, Koshi Division, Saharsa, impugned at Annexure 7 in C.W.J.C.No. 19774/2016, in so far as it concerns the petitioner; and

(r) bearing Memo No. 1464 dated 18.11.2016 passed by the Regional Deputy Director of Education, Patna Division, Patna, impugned at Annexure 9 in C.W.J.C.No. 237/2017;

cannot be upheld and are accordingly quashed and set aside. The writ petitions are allowed.

(Jyoti Saran, J)

Surendra/-

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