

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18960 of 2008

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Yogi Kamti, son of Kusheshwar Kamti, resident of village Brahmpura, P.S. Manigachi, District Darbhanga

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary (Primary and Adult Education), Human Resources Development Department, New Secretariate, Bikas Bhawan, Baily Road, Patna.
2. Director, Adult and Non-Formal Education Directorate, (now known as Directorate of Mass Education), Human Resources Development Department, New Secretariate, Bikas Bhawan, Baily Road, Patna.
3. Director (Administration)-cum-Joint Secretary, Human Resources Development Department, New Secretariate, Bikas Bhawan, Baily Road, Patna.
4. District Education Officer, Patna

.... Respondents

With

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Civil Writ Jurisdiction Case No. 18922 of 2008

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Sri Ram Singh, son of Shri Yadunandan Singh, resident of village Chaptahi, P.S. Piro, District Bhojpur.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary (Primary and Adult Education), Human Resources Development Department, New Secretariate, Bikas Bhawan, Baily Road, Patna.
2. Director, Adult and Non-Formal Education Directorate, (now known as Directorate of Mass Education), Human Resources Development Department, New Secretariate, Bikas Bhawan, Baily Road, Patna.
3. Director (Administration)-cum-Joint Secretary, Human Resources Development Department, New Secretariate, Bikas Bhawan, Baily Road, Patna.
4. District Education Officer, Patna

.... Respondents

With

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Civil Writ Jurisdiction Case No. 18993 of 2008

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Sunil Kumar, Son of Late Jyotindera Nath, resident of Quarter No. 9 Vidyapati Nagar, Ashok Path Baridih, Jamshedpur, P.S. Sidhgora, district East Singhbhum Jharkhand

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary (Primary and Adult Education), Human Resources Development Department, New Secretariate, Bikas Bhawan, Baily Road, Patna.
2. Director, Adult and Non-Formal Education Directorate, (now known as Directorate of Mass Education), Human Resources Development Department, New Secretariate, Bikas Bhawan, Baily Road, Patna.
3. Director (Administration)-cum-Joint Secretary, Human Resources



Development Department, New Secretariate, Bikas Bhawan, Baily Road, Patna.
4. District Education Officer, Patna

.... Respondents

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Appearance :

(In CWJC No.18960 of 2008)

For the Petitioner : Mr. Kishore Kumar Thakur
Mr. Rajesh Kumar, Advocates

For the Respondents : Mr. Ram Babu Rai, AC to SC 14
(In CWJC No.18922 of 2008)

For the Petitioner : Mr. Kishore Kumar Thakur
Mr. Rajesh Kumar, Advocates

For the Respondents : Mr. Vijay Kr. Verma, AC to GA 2
(In CWJC No.18993 of 2008)

For the Petitioner : Mr. Kishore Kumar Thakur
Mr. Rajesh Kumar, Advocates

For the Respondents : Mr. Anwar Karim, AC to GP 10

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 11-07-2017

Heard learned counsel for the petitioners as well as
learned counsels for the respondents.

2. All these three writ petitions have been filed for
payment of arrears of salary due to the petitioner for the period falling
between the date of his termination and reinstatement, in the present
cases being 01.03.1993 to 27.06.2006 respectively, in the Directorate
of Adult and Non-formal Education.

3. The short facts of the case according to the petitioner are
that the petitioners were working as 'Aadeshpal', being a class IV
employee in the Directorate of Adult and Non-formal Education, when
by a cyclostyled order of termination on 28.02.1993 the services of as
many as 815 persons including the petitioners were terminated. Such
termination was challenged through various writ petitions. One such



writ petition was filed by the Bihar State Directorate of Adult and Non-formal Education Office Employees' Association of which the petitioners were members, which was registered CWJC No. 4716 of 1993. The said writ petition was disposed of by a Division Bench of this Court in its order dated 01.09.1993 (Annexure-1), *inter alia*, quashing the order of termination and directing absorption/reinstatement of the petitioners in the Non-formal wing of the Directorate in accordance with their seniority. In due course, out of the 815 persons, 31 'Aadeshpals' including the petitioners remained to be absorbed as noted in the letter No. 1061 dated 26.06.1997 (Annexure-2). After some correspondence and procedural delays, a list of 14 persons including the petitioners was issued on 07.04.2006 (Annexure-4) by which the petitioners were appointed against the vacant post of 'Aadeshpal'.

4. At the outset, learned counsel for the petitioners submits that issues involved in these writ applications are almost identical as issues raised in CWJC No. 18490 of 2008 (*Amar Nath Prasad Karn Vs. The State of Bihar & others*) disposed of by this Court by judgment dated 10.07.2017, and as such the matter stands fully covered by the said judgment.

5. Learned counsels for the State accept the stand of the petitioners and have no objection if the present writ petitions are also disposed of accordingly.



6. Having regard to the stand of the petitioners and with consent of the respondents, these writ petitions are disposed of in line with and on the same terms as the judgment dated 10.07.2017 passed in CWJC No. 18490 of 2008.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	12.07.2017
Transmission Date	N.A.

