

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.208 of 2017

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1. Bisnudeo Mandal S/o late Hanumani Mandal resident of village - Usmanpur, P.S. - Kharik, District - Bhagalpur.
 2. Ranjeet Mandal S/o Sri Puran Mandal resident of village - Usmanpur, P.S. - Kharik, District - Bhagalpur.
 3. Shankar Prasad Mandal son of late Amir Mandal resident of village - Usmanpur, P.S. - Kharik, District - Bhagalpur.
 4. Madhusudan Mandal son of late Jagdeo Mandal resident of village - Usmanpur, P.S. - Kharik, District - Bhagalpur.
 5. Balmiki Mandal son of late Puran Mandal resident of village - Usmanpur, P.S. - Kharik, District - Bhagalpur.
 6. Madan Kumar Sah son of late Dinesh Chandra Sah resident of village Baghmara, P.S. Manihari, Dist. Katihar.
 7. Abdul Sattar son of late Safiruddin resident of village Baghmara, P.S. Manihari, Dist. Katihar.

.... Petitioner/s

Versus

1. The State of Bihar through District Program Officer (Literacy), Bhagalpur.
2. Chief Secretary, Govt. of Bihar, Old Secretariat, Patna.
3. Principal Secretary, Department of Education, Govt. of Bihar, Patna.
4. Secretary, Dept. of Education, Govt. of Bihar, Patna.
5. District Magistrate, Katihar.
6. District Magistrate, Bhagalpur.
7. Regional Deputy Director of Education, Bhagalpur.
8. District Education Officer, Katihar.
9. District Education Officer, Bhagalpur.
10. District Program Officer (Literacy), Katihar.
11. District Program Officer (Literacy), Bhagalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Adv.
For the Respondent/s : Mr. Madanjeet Singh- GP20

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 10-07-2017

The petitioners claiming to be Non Formal Instructors having worked for 3 years under the Non Formal Education Programme and having been disengaged on the closure of the scheme in the year 2001



seek appropriate direction for their absorption in the light of the orders passed in the proceedings before this Court which traveled up to the Supreme Court to result in a direction to the respondents to consider their case for absorption. According to Mr. Prabhat Ranjan, learned counsel for the petitioners, the case of the petitioners would be covered by the direction(s) issued by this Court on writ petitions. It is submitted that following an advertisement issued that the petitioner had represented to but to no avail and hence the writ petition.

A similar issue came up for consideration in **C.W.J.C.No.384 of 2017** and analogous cases (**Harendra Mishra & Ors. Vs. State of Bihar & Ors.**) when this Court taking note of the legal position on the absorption of supervisors and instructors engaged under the Non Formal Education Programme in the backdrop of the orders passed by this court in C.W.J.C. No. 8418 of 2010 whereby the writ petition was allowed with the direction to the State to take steps for absorption of the instructors and the order passed by the Division Bench in L.P.A.No.1489 of 2011 as well as the opinion of the Supreme Court on the Special Leave Petition preferred by the State and also the opinion of the Division Bench on a miscellaneous case filed by similarly placed persons seeking similar relief in M.J.C. No. 3765 of 2016, disposed of the writ petition with the direction to the respondent(s) Principal Secretary, Education Department, the



Principal Secretary, Personnel and Administrative Reforms and the Director, Mass Communication, Government of Bihar to consider the claim of the petitioners and dispose of the same in accordance with law.

Considering that these petitioners were also engaged as instructors under the same scheme and claim similar absorption and would be covered by the order passed in **C.W.J.C. No. 384 of 2017 (Harendra Mishra & Ors. Vs. State of Bihar & Ors.)**, I deem it proper to dispose of this writ petition with the liberty to the petitioner to raise his grievance before the respondent no.3, who shall accordingly consider and dispose of the same in accordance with law within a period of three months from date of filing of such the representation.

The writ petition is disposed of.

(Jyoti Saran, J)

Bibhash/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	27.7.2017
Transmission Date	NA

