

## IN THE HIGH COURT OF JUDICATURE AT PATNA

### Civil Writ Jurisdiction Case No. 5751 of 2017

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1. Arun Kumar Choudhary, Son of Sri Yogendra Narayan Choudhary, Resident of Village- Sirua, Police Station- Baheri, District- Darbhanga, presently posted at M.S. Paharpur, Amas, Gaya.
  2. Rabindra Kumar Roy, Son of Brahmdeo Roy, Resident of Village P.O. Mahmada, Via- Pusa, Samastipur, presently posted at M.S. Diwaniya, Barachatti, Gaya.
  3. Krishna Lal Mandal, Son of Bambholi Mandal, Resident of Village & P.O.- Sir Khriya, P.S.- Jhanjharpur, District- Madhubani, presently posted at Model Urdu M.S. Sherghati, Gaya.
  4. Anil Kumar, Son of Nanhoo Prasad, Resident of Mohalla- Mitra Mandal Colony, Saket Vihar, P.O.- Anisabad, Patna, presently posted at M.S. Kusma, P.O.- Dharmshala, P.S.- Chanduti, Block- Nagar, District- Gaya.
  5. Ajit Kumar Mishra, Son of Damudar Misra, Resident of Ajit Kumar Misra, Misra Bhawan, S.D.O. Road, P.O. Hajipur, P.S.- Hajipur, District- Vaishali, presently posted at M.S. Kathwara, Gurua, Gaya.
  6. Shekh Sahabuddin, Son of Shekh Shakuruddin, Resident of Village- Hajipur, P.S.- Sonbarsa, District- Saharsa, presently posted at Manorma Kanya M.S. Sherghati, Gaya.
  7. Radhakant Jha, Son of Shobhakant Jha, Resident of Village & P.O.- Galma, P.S.- Ghanshyampur, District- Darbhanga, presently posted at M.S. Roshanganj, Banke Bazar, Gaya.
  8. Sheo Jee Sharma, Son of Bijali Singh, Resident of Village- Gori Gawan, P.O.- Rajpura, P.S.- Saraia, District- Muzaffarpur, presently posted at M.S. Tamrua, Gurua, Gaya.
  9. Md. Hifzur Rahman, Son of Md. Fazlur Rahman, Resident of Village- Pirri, P.S.- Bahdurpur, District- Darbhanga, presently posted at M.S. Saraitand, Gurua, Gaya.
  10. Tarakant Jha, Son of Chandra Shekhar Jha, Resident of Village- Kasrour Utree, West Tola, P.S.- Ghanshyampur, District Darbhanga, presently posted at M.S. Nima Budhal, Amas, Gaya.
  11. Mahesh Kumar Jha, Son of Dev Kishore Jha, Resident of Village- Balni, P.O. and P.S.- Bahera, District- Darbhanga, presently posted at M.S. Angra, Dobhi,



Gaya.

12. Dadan Kumar Singh, Son of Bahadur Singh, Resident of Village- Padumanpur, P.O.- Gotpa, P.S.- Karakat (Gorari), District- Rohtas, presently posted at M.S. Brindaban, Amas, Gaya.
13. Md. Naushad Ali, Son of Md. Sher Ali, Resident of Village Rasulpur, P.S.- Hayaghat, District- Darbhanga, presently posted at M.S. Nabinagar, Kakarar, Sheikhpura.
14. Shahid Quimar, Son of Kamrul Hoda, Resident of Village- Rahua, Warisnagar, Samastipur, presently posted at U.M.S. Rampur Hindi, Ariari, Sheikhpura.
15. Sohail Ahmad Arzoo, Son of Hifajur Rahman Noori, Resident of Village- Chandiha, Aurai, District- Muzaffarpur, presently posted at U.U.M.S. Marpa Adhi, Kaimur.
16. Md. Mahshar Naddaf, Son of Md. Kashim, Resident of Village- Chikani, Darmeani, Saharsa, presently posted at Urdu U.M.S. Fakhrabad Kudhra, Kaimur.
17. Nasir Khan, Son of Mojib Ali Khan, Resident of Mohalla- Faijullah Khan, P.O.- Laheriasarai, District- Darbhanga, presently posted at Primary School Maktab Nawada, Sheikhpura.
18. Surendra Kumar, Son of Raj Kumar Prasad, Resident of Village & P.O.- Etwa, Pakridayal, District- East Champaran, presently posted at M.S. Mahuayet, Wazirganj, Gaya.
19. Md. Emtayaz Alam, Son of Saquelain, Resident of Village- Narsara, P.S.- Bishanpur, District- Darbhanga, presently posted at M.S. Kaithi, Nokha, Rohtas.
20. Afroj Alam, Son of Md. Soaib, Resident of Village- Sidhauhi, P.S.- A.P.M., District- Darbhanga, presently posted at U.M.S. Shibrampur, Chand, Kaimur.
21. Rafi Ahmad, Son of Md. Mazaharul Haque, Resident of Village- Gawandri, Chainpur, East Champaran, Presently posted at Urdu P.S.- Akhlaapur, Bhabhua, Kaimur.
22. Ozair Ahmad, Son of Md. Soyeb, Resident of Village- Pirri (Pipri), P.O.- Kushothar, P.S.- Bahadurpur, District- Darbhanga, presently posted at U.M.S. Mushahari Urdu, Bochahan, Muzaffarpur.
23. Md. Helal, Son of Abdul Mabud, Resident of Village- Chand Chaur Rahim Tola, Dalsin Sarai, District- Samastipur, presently posted at M.S. Charuawan, Sheikhpura.



24. Md. Julfekar Ali Bhatto, Son of Md. Saisar, Resident of Village- Chand Chaur Rahim Tola, Dalsingh Sarai, District- Samastipur, presently posted at U.P.S. Belhari, District- Sheikhpura.
25. Akil Ahamad, Son of Md. Ozair, Resident of Village- Chandchaur Rahim Tola, Dalsingh Sarai, District- Samastipur, presently posted at U.M.S. Manpur, Sheikhpura.
26. (Dr.) Md. Umar Farooque, Son of Md. Mohiuddin, Resident of Village- Adalpur, District- Darbhanga, presently posted at P.S. Tala, Adhaura, Kaimur.
27. Md. Haseen Akhter, Son of Akhtar Hussain SAlfi, Resident of Village- Loam, Keoti, District- Darbhanga, presently U.U.M.S. Belaundi, Mohania, Kaimur.
28. Mirza Asif Hussain Baig, Son of Mirza Tamizuddin Baig, Resident of Village- Mirzapur, P.S.- Jale, District- Darbhanga, presently posted at M.S. Harihans Urdu, Hussaingung, District- Siwan.
29. Kafil Ahmad, Son of Md. Isa, Resident of Village- Kansi, P.S.- Simri, District- Darbhanga, presently posted at U.M.S. Darauli, Bhabhua, Kaimur.
30. Mirza Tufail Ahmad Baig, Son of Mirza Mobin Baig, Resident of Village- Garri, Jogiyara, P.S.- Jale, District- Darbhanga, presently posted at Karjee, Chainpur, Kaimur.
31. Md. Miftahul Haque, Son of Md. Zeyaul Haque, Resident of Village- Sonahli, P.S.- Benipatti, District- Madhubani, presently posted at Urdu, P.S.- Deohalya, Ramgardh, Kaimur.
32. Md. Mansur Alam, Son of Manjurul Hasan, Resident of Village- Tarha, P.S.- Sulkhowa, District- Saharsa, presently posted at U.M.S. Chainpura, Adhaura, Kaimur.
33. Md. Haider Shahin, Son of Munshi Habib Bkhash, Resident of Village- Gowabari Samesar, P.S.- Bahadurganj, District- Kishanganj, presently posted at U.M.S. Ruiyan, Bhabhua, Kaimur.
34. Md. Tauquir Ashraf, Son of Md. Quasim, Resident of Village- Rangamani, P.S.- Kochadhaman, District- Kishanganj, presently posted at U.M.S. Orgaon, Bhagwanpur, Kaimur.
35. Asif Mujtaba, Son of Saidur Rahman, Resident of Village- Bahichakutti, P.O.- Gangihat, District- Kishanganj, presently posted at M.S. Khajura, Durgawati, Kaimur.
36. Md. Sajjad Hussain, Son of Md. Manjar, Resident of Plot No.405, Enclave Sakkanpura, P.O. B.V. College, Patna-14, presently posted at M.S. Jaitpurkala,



Bhagwanpur, Kaimur.

37. Md. Ejaz Ahmad, Son of Md. Zubair Uddin, Resident of Village & P.O.- Gowasa Sheikhpura, P.S.- Pandarak, District- Patna, Presently posted at U.M.S. Jaitpur Khurd, Bhagwanpur, Kaimur.
38. Abdullah, Son of Md. Abutalha Salfi, Resident of Village & P.O.- Mahuawa, P.S.- Piprahi, District- Sheohar, presently posted at U.M.S. Kohari, Bhabhua, Kaimur.
39. Md. Rizwanullah, Son of Abdul Quddus, Resident of Village- Gairpur, P.O.- Loam, District- Darbhanga, presently posted at M.S. Kushumahra, Bikramganj, Rohtas.
40. Md. Fazle Elahi, Son of Md. Helal Uddin, Resident of Village- Thiriya Bakia, P.S.- Simraha, District- Araria, presently posted at U.M.S. Sirsi, Chainpur, Kaimur.
41. Md. Rayees Azam, Son of Md. Shafiur Rahman, Resident of Village- Chhatwan, P.S.- Raiaam, District- Darbhanga, presently posted at U.M.S. Dhankaul, Ariyari, Sheikhpura.
42. Md. Ali Raza, Son of Tafazzol Hussain, Resident of Village- Balha, P.S. Raj Nagar, District- Madhubani, presently posted at U.M.S. Sahnaura, Ariyari, Sheikhpura.
43. Javed Akhtar, Son of Nisar Akhtar, Resident of Village- Asraha, P.S.- Keoti, District- Darbhanga, presently posted at Urdu M.S. Kosiya, Sahar, Bhojpur.
44. Md. Shibli Ajazi, Son of Md. Shamim Akhtar, Resident of Paternal Village- Shewra, P.S.- Patory, District- Samastipur, at present C/o Zaiqua Near Chharki Masjid, Dargah Road, Patna, presently posted at U.M.S. Matokhar, Sheikhpura.
45. Md. Islam, Son of Md. Israil, Resident of Village- Gohinaya Tola, P.S.- Warisnagar, District- Samastipur, presently posted at M.S. Samas, Barbiga, Sheikhpura.
46. Uday Chand Ram, Son of Lallan Ram, Resident of Village- Ruiyan, P.O. Darauli, P.S.- Bhabhua, District- Kaimur, presently posted at U.M.S. Laxmipur, Burj Tola, Digha Bank, Kishanganj.

.... .... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Education, Govt. of Bihar, Patna.
2. The Director, Primary Education, Govt. of Bihar, Patna.



3. District Education Officer, Patna.

.... .... Respondent/s

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**Appearance :**

For the Petitioners : Mr. Gajendra Kumar Jha-2 with  
Mr. Gajendra Kumar Singh, Advocates  
For the State : Mr. Krishna Chandra, AC to AG

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**

**ORAL JUDGMENT**

**Date: 04-05-2017**

Heard learned counsel for the petitioners and State.

2. Learned counsel for the petitioners is permitted to correct the details relating to petitioner no. 24. Let the same be done during the course of the day.

3. Learned counsel for the petitioners submitted that similarly situated persons had moved the Court in C.W.J.C. No. 834 of 2017 and by order dated 08.02.2017, a co-ordinate Bench of this Court had disposed off the writ petition with liberty to the petitioners to approach the Principal Secretary, Department of Education, Government of Bihar, Patna for such relief with a direction that the competent authority, at the level of Government, would consider the case of the petitioners on its own merits, in accordance with law, expeditiously.

4. Learned counsel for the State does not dispute the position that the petitioners are similarly situated to the petitioners in



C.W.J.C. No. 834 of 2017.

5. In view thereof, the writ petition stands disposed off in terms of order dated 08.02.2017 passed in C.W.J.C. No. 834 of 2017, subject to the petitioners approaching the Principal Secretary, Department of Education, Government of Bihar, Patna within three weeks from today along with a copy of this order.

**(Ahsanuddin Amanullah, J)**

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