

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5438 of 2017

1. Nilay Kumar Rai, Son of Bashishtha Rai, Resident of Village- Taranarahwa, P.O.- Narahwa Shukul, P.S.- Gopalganj, District- Gopalganj, presently posted at U.M.S. Belbanwa, Block- Kuchaikot, District- Gopalganj.
2. Ritesh Kumar Rai, Son of Birendra Rai, Resident of Village- Banjaria, P.O.- Dhabawa, District- Gopalganj, presently posted at U.M.S. Purkhas, Block- Kuchaikot, District- Gopalganj.
3. Priti Rai, D/o- Virendra Rai, Resident of Village- Banjaria, P.O.- Dhabawa, District- Gopalganj, presently posted at U.M.S. Chhaterpatti, Kuchaikot, Gopalganj.
4. Kumari Rambha Gupta, Wife of Sunil Kumar Sah, Resident of At- Yadavpur, Road- Sarswati Talkies, Sarya Ward No. 03, District- Gopalganj, presently posted at U.M.S. Daharpur, Changur.
5. Sudhanshu Kumar Pandey, Son of Ram Sagar Pandey, Resident of Village- Khaalgaon, P.O.- Semare Bazar, Block- Kuchaikot, District- Gopalganj, presently posted at U.M.S. Bishunpura.
6. Bijay Kumar, Son of Ramawatar Prasad, Resident of Village- Basdila, Nawkatola, District- Gopalganj, presently posted at U.M.S. Mateya, Kuchaikote.
7. Sonalal Kumar, Son of Nageshwar Prasad, Resident of Village- Bhudharawa, Bhitaha, West Champaran, presently posted at U.M.S. Bhuidharwa, Block- Bhitaha, West Champaran.
8. Jitendra Kumar Gupta, Son of Ramashankar Gupta, Resident of Village- Dhanauti, P.O.- Kateyan, District- Gopalganj, presently posted at M.S. Jagdishpur, Nautanki, Siwan.
9. Sweta Kumari, Daughter of Devendra Dikshit, Resident of Village- Kilpur, P.O.- Kbirpur, Block- Nautan, District- Siwan, presently posted at U.M.S. Semriya 01, Block- Nautan, District- Siwan.
10. Umash Yadav, Son of Rampyare Yadav, Resident of Village- Mahmood Chak, P.O.- Nayagaon, District- Saran, presently posted at U.M.S. Rampur Jivdhar, Block- Kuchaikot, District- Gopalganj.
11. Dilip Kumar Sharma, Son of Gorakh Nath Sharma, Resident of Village- Tekniwash, P.O.- Kachnar, Block- Rivilganj, District- Saran, presently posted at Govt. M.S. Sonahulaa, Kuchaikote, Gopalganj.
12. Shailesh Kumar Gupta, Son of Aniruddh Prasad, Resident of Village- Gaur Bujurg, P.O.- Madhopur, Block- Maharajganj, District- Siwan, presently posted at Basic School Chailwa.
13. Asalam Ansari, Son of Noor Hasan, Resident of Village- Sukdev Patti, P.O.- Bodha Chhapar, District- Gopalganj, presently posted at U.M.S. Bodhachhapar.
14. Pragati Rai, D/o- Satish Rai, Resident of Village+ P.O.- Dhumnagar, P.S.- Thaakaraha, District- West Champaran, presently posted at U.M.S. Bodhachhapar.
15. Omkar Prasad, Son of Nagina Prasad, Resident of Village- Sangawadih, (Gaddi Tola), P.O.- Bodhachhapar, District- Gopalganj, presently posted at U.M.S. Rampur Jiwddhar, Block- Kuchaikote, District- Gopalganj.
16. Sangeeta Kumari, D/o- Bhagwati Tiwari, Resident of Village- Duhawna, P.O.- Kateyan, District- Gopalganj, presently posted at U.M.S. Bindwaliya, Kuchaikote.
17. Kumari Mahima, D/o- Ravindra Rai, Resident of Village- Dumari, P.O.-



- Bishunpura, Barhi, District- Gorakhpur, presently posted at U.M.S. Karmaini, Mohabat.
18. Krishna Kumar Rai, Son of Deomurti Rai, Resident of Village- Badepur, P.O.- Dandi, District- Gorakhpur, presently posted at M.S. Raupauli, District- Saharsa.
 19. Vijay Kumar Pandey, Son of Ramesh Pandey, Resident of Village- Belpar, Pandit, P.O.- Bhatpar Rani, District- Deoria (U.P.). presently posted at Govt. M.S. Bhopatpur, Block- Bhore.
 20. Amit Kumar Sharma, Son of Chandirka Prasad, Resident of Village- Khalishpur, P.O.- Audi, District- Mau (U.P.), presently posted at Govt. M.S. Sonahula, Kuchaikote, Gopalganj.
 21. Azaharuddin Ansari, Son of Ful Mohammad Ansari, Resident of Village- Arusawan, P.O.- Patherwan, Block- Fazilnagar, Kushinagar (U.P.), presently posted at U.M.S. Ahirauli, Dabauli.
 22. Atul Kumar Srivastav, Son of Satish Chandra Srivastav, Resident of Village- Mohalla- Jagdishpur, Hospital Road, P.O.- Balia, Block- Hanumanganj, District- Balia (U.P.), presently posted at U.M.S. Galimpur, Block- Kuchaikote, District- Gopalganj.
 23. Sanjay Ram, Son of Tangbahadur Ram, Resident of Village- Dighwa, Karaya, P.O.- Vijaypur, District- Gopalganj, presently posted at U.M.S. Durg Matihaniya.
 24. Vijay Pratap Singh, Son of Yogendra Singh, Resident of Village+ P.O.- Ratasia Kothi, District- Deoria, presently posted at U.M.S. Sanah Madho, Kuchaikote.
 25. Mithai Lal, Son of Shambhoo Sharan Maurya, Resident of Village- Dultahi, P.O.- Sidhauli, District- Gorakhpur, presently posted at U.M.S. Belbanawa, Kuchaikot, Gopalganj.
 26. Kiran Mishra, D/o- Brajnarayan Mishra, Resident of Village- Chak Saray Badaldas, P.O.- Sonughat, District- Deoria, U.P. presently posted at U.M.S. Durg Mathihaniya, Block- Kuchaikote, District- Gopalganj.
 27. Abhishek Kumar, Son of Kishori Lal Prasad, Resident of Village- Chaksaray Badalda, P.S.+ District- Deoria, (U.P.) presently posted at U.M.S. Durg Matihaniya.
 28. Narendra Pratap Yadav, Son of Chandra Ram Yadav, Resident of Village- Bishonpura, P.O.- Guthani, District- Siwan, presently posted at U.M.S. Bhojchhapar.
 29. Noorpur, D/o- Ravindra Nath Rai, Resident of Village- Dumari, P.O.- Bishunpura, District- Gorakhpur, presently posted at U.M.S. Birndavan Shiutahal Royketola.
 30. Ajay Kumar Yadav, Son of Rameshwar Yadav, Resident of Village- Narsingh Don, P.O.+ P.S.- Thanamael, District- Deoria U.P. presently posted at U.M.S. Belwa Brit, Block- Kuchaikote, District- Gopalganj.
 31. Ajay Kumar Son of Ghutkoo Lal, Resident of Village- Pandey Pur, P.O.- Vijaypur, Thana- Vindhyanchal, District- Murzapur, U.P. presently posted at U.M.S. Mathiay Khas, Block- Kuchaikote, District- Gopalganj.
 32. Amit Kumar Dubey, Son of Markandey Dubey, Resident of Village- Motipakar Srikant, P.O.- Rampur Sohrauna, District- Kushinagar, U.P. presently posted at R.M.S. Barnaiya Rajaram, Block- Kuchaikote, District- Gopalganj.
 33. Anil Kumar Rai, Son of Vishwa Nath Rai, Resident of Village- Bhagwanpur, P.O. Karjhan (Baitalpur), District- Deoria (U.P.) presently posted at U.M.S. Phulwariya, Block- Kuchaikote, District- Gopalganj.
 34. Dipendra Kumar, Son of Anil Kumar, Resident of Village- Chhatha Vathua, P.O.- Phulwariya, Block- Phulwariya, District- Gopalganj, presently posted at



- U.M.S. Amwa Bijaypur, Block- Kuchaikote, District- Gopalganj.
35. Janardan Kumar, Son of Shankar Prasad, Resident of Village- Bhabhua, Ward No. 14, (Ambedkar Nagar), P.O.- Bhabhua, District- Kaimur, Bihar, presently posted at U.M.S. Bangal Khand, Block- Kuchaikote, District- Gopalganj.
36. Poonam Gupta, D/o- Manikchand Gupta, Resident of Village- Sasmusa, Gopalganj, presently posted at R.M.S. Samamusa, Block- Kuchaikote, District- Gopalganj.
37. Kumari Nutan, D/o- Prabhakar Pandey, Resident of Village- Shyamdas Bagahi, P.O.- Bagahi Bazar, District- Gopalganj, presently posted at U.M.S. Narayanpur, Block- Kuchaikote, District- Gopalganj.
38. Sandeep Kumar Rai, Son of Janak Rai, Resident of Village- Rasauti, P.O.- Dharahara Mela, District- Gopalganj, presently posted at U.M.S. Sahaladpur, Block- Manjha Gardh, District- Gopalganj.
39. Bunela Prasad, Son of Budhiram, Resident of Village- Mathiyaniya Vinod, P.O.- Baliwan Sagar, Gopalganj, presently posted at M.S. Balothari, Block- Kuchaikote, District- Gopalganj.
40. Jayanti Kumari, D/o- Bhagwati Prasad Mishra, Resident of Village- Tara Narahwa, P.O.- Narahwa Shukla, Block- Kuchaikote, District- Gopalganj, presently posted at U.M.S. Pukhas, Block- Kuchaikote, District- Gopalganj.
41. Vinay Kumar Singh, Son of Bashishtha Rai, Resident of Village- Taranarahwa, P.O.- Narahwa Shukul, P.S.- Gopalpur, District- Gopalganj, presently posted at U.M.S. Belbanwa, Block- Kuchaikot, District- Gopalganj.
42. Satyam Kumar, Son of Laljee Prasad, Resident of Village- Lakhopar, P.O.- Bhatpar Rani, District- Deoria (U.P.) presently posted at U.M.S. Khem Mathaniya, Block Kuchaikote, District- Gopalganj.
43. Saroj Singh, Daughter of Keshwanand Singh, Resident of Village- Naharpur, P.O.- Vishunpura, District- Siwan, presently posted at U.M.S. Karmaini Mohabbat, Block- Kuchaikote, District- Gopalganj.
44. Kumari Smita Singh, D/o- Ashok Kumar Singh, Resident of Village- Narahia, P.O.- Badgaon, District- Siwan, presently posted at R.G.M.S. Kuchaikote, Block- Kuchaikote, District- Gopalganj.
45. Abhay Kumar Singh, Son of Ramawadh Singh, Resident of Village- Mahaicha, P.O.- Mirganj, District- Gopalganj, presently posted at U.M.S. Briti Bhami Tola, Block- Kuchaikote, District- Gopalganj.
46. Arvind Yadav, Son of Ram Bachan Yadav, Resident of Village- Pakri Kharhi, District- Gopalganj, presently posted at U.M.S. Binod Mathihaniya, Block- Kuchaikote, District- Gopalganj.
47. Rashmi Kumari, D/o- Yatindra Prasad Srivastav, Resident of Village- Chailwa, P.O.- Gopalpur, Block- Kuchaikote, District- Gopalganj, presently posted at R.A.M.S. Kuchaikote Balak, Block Kuchaikote, District- Gopalganj.
48. Awanish Kumar Sriwastaw, Son of Rabindra Prasad Sriwastawa, Resident of Village- Panchdewari, P.O.+ Block- Panchdewari, District- Gopalganj, presently posted at U.M.S. Tetariya Panchdewari, District- Gopalganj.
49. Hasrat Ahmad, Son of Nurulain Ahmad, Resident of Village- Rapura, P.O.- Jiradi, District- Siwan, presently posted at U.M.S. Rajapur Mahanth Block- Panchdeori, District- Gopalganj.
50. Dharmendra Kumar Gupta, Son of Hari Shankar Sah, Resident of Village- Kapuri, P.O.- Panchdewari, District- Gopalganj, presently posted at U.M.S. Sangwadih, Block- Kuchaikote, District- Gopalganj.
51. Archana Gupta, D/o- Dina Nath Gupta, Resident of Village- Mahuwa, P.O.- Fazilnagar, District- Kushinagar U.P. presently posted at U.M.S. Amaahi Banke, Block- Kateya, District- Gopalganj.



52. Ajai Prasad, Son of Sri Baliram Prasad, Resident of Village- Rohara Kalan, P.O.- Kaligarh, District- Siwan, presently posted at U.M.S. Amahi Bake, Block- Kateya, District- Gopalganj.
53. Shardendu Giri, Son of Dharmnath Giri, Resident of Village- Bhathawa Bazar, P.O.- Bhathawa Bazar, District- Gopalganj, presently posted at U.M.S. Tetariya Block- Panchdeori, District- Gopalganj.
54. Muslim Alam, Son of Wakil Alam, Resident of Village- Kabilaswa, P.O.- Pachpera, presently posted at U.M.S. Barachap, Block- Panchdeori, District- Gopalganj.
55. Umesh Kumar Gupta, Son of Munni Lal Gupta, Resident of Village- Binahi, P.O.- Binahi, District- West Champaran, presently posted at U.M.S. Rajapur, Block- Panchdeori, District- Gopalganj.
56. Aditya Narayan Mishra, Son of Suresh Prasad Mishra, Resident of Village- Chirchirwa, P.O.- Nawalpur, District- West Champaran, presently posted at U.M.S. Sabeya Pachdeori, District- Gopalganj.
57. Chhotelal Kushwaha, Son of Ramnayan Kushwaha, Resident of Village- Babhani, P.O.- Kateya, District- Gopalganj, presently posted at U.M.S. Tetariya Block- Panchdewari, District- Gopalganj.
58. Arvind Kumar Singh, Son of Jagarnath Singh, Resident of Village- Sabia, P.O.- Sabia, District- Kushinagar, presently posted at U.M.S. Badahra, Block- Kuchaikote, District- Gopalganj.
59. Tarkeshwar Kumar, Son of Somnath Ojha, Resident of Village- Kateya, P.O.- Kateya, District- Gopalganj, presently posted at U.M.S. Lachhpur, Block- Kuchaikote, District- Gopalganj.
60. Arun Kumar, Son of Baliram Chaudhary, Resident of Village- Kuarbathua, P.O.- Bathua Bazar, District- Gopalganj, presently posted at U.M.S. Lachhpur, Block- Kuchaikote, District- Gopalganj.
61. Anurag Kumar Singh, Son of Jaishankar Singh, Resident of Village- Rampur, Litihan Bhatpar Rani, District- Deoria, U.P. presently posted at U.M.S. Durg Mathiniya, Block- Kuchaikote, District- Gopalganj.
62. Ravi Kant Gupta, Son of Raja Ram Gupta, Resident of Village- Rasulpur, P.O.- Sonbarsa Bazar, District- Gorahpur, U.P. presently posted at U.M.S. Tiwari Tola, Block- Kuchaikote, District- Gopalganj.
63. Dharmendra Kumar Gupta, Son of Ramkishun Sahu, Resident of Village- Mahaicha, P.O.- Mirganj, Block- Uchakagaon, District- Gopalganj, presently posted at U.M.S. Bhagwanpur, Block- Panchdeori, District- Gopalganj.
64. Rajesh Singh, Son of Janak Prasad Singh, Resident of Village- Ahirauli, P.O.- Semara Bazar, District- Gopalganj, presently posted at U.M.S. Tatariya, Block- Panchdeopri, District- Gopalganj.
65. Asha Kumari, D/o- Baleshwar Prasad, Resident of Village- Ahiravli, P.O.- Semara Bazar, District- Gopalganj, presently posted at U.M.S. Bhagwanpur, Block- Panchdeori, District- Gopalganj.
66. Sadhana Pandey, D/o- Keshwa Pandey, Resident of Village- Madhuria, P.O.- Saraiya, Mahanth Patti, District- Kushinagar, U.P. presently posted at U.M.S. Balepur, Block- Phulwaria, District- Gopalganj.
67. Dharmendra Kumar, Son of Late Ramjanam Prasad, Resident of Village- Hathauri, P.O.- Chhapiya, Buzurg, District- Siwan, presently posted at U.M.S. Siswa, Block- Kuchaikote, District- Gopalganj.
68. Vivek Kumar Dubey, Son of Harishankar Dubey, Resident of Village- Dumahi, P.O.- Dharmpur Parvat, District- Kushinagar, presently posted at U.M.S. Sukdevpatti, Block- Kuchaikote, District- Gopalganj.
69. Nirupma Singh, Wife of Nripendra Kumar Singh, Resident of Village-



- Singhpur, P.O.- Ssahadigari, District- Gopalganj, presently posted at U.M.S. Tatariya, Block- Panchdeori, District- Gopalganj.
70. Sudhir Kushwaha, Son of Ramadhar Kushawaha, Resident of Village- Sukasenewa Mishra, P.O.- Bhagipati Jhil, District- Gopalganj, presently posted at U.M.S. Ameya, Block- Kateya, District- Gopalganj.
71. Jay Prakash Kushwaha, Son of Tulasi Kushwaha, Resident of Village- Samasher Shahi, P.O.- Bagahi, District- Kushinagar, presently posted at U.M.S. Sukdev Patti, Block- Kuchaikote, District- Gopalganj.
72. Rohit Kumar Tiwari, Son of Chandra Mohan Tiwari, Resident of Village- Bewari Patti, P.O.- Thakarha, District- West Champaran, presently posted at U.M.S. Hirasoti, Bhitaha, District- West Champaran.
73. Anwar Ansari, Son of Md. Islam Ansari, Resident of Village- Amawa Buzurg, P.O.- Kubersthan, District- Kushinagar, U.P. presently posted at U.M.S. Laakshmipur, Bhitaha, District- West Champaran.
74. Hariom Sharma, Son of Ram Prasad Sharma, Resident of Village- Khesia, Khakhar Tola, P.O.- Khesia, P.S.- Jataha Bazar, District- Kushinagar, U.P. presently posted at U.M.S. Dihi Pakri, Bhitaha, District- West Champaran.
75. Vandana Kumari, D/o- Aambika Singh, Resident of Village- Ojhwalija, P.O.- Tadwalia Bagahja, District- West Champaran, presently posted at R.M.S. Khairawa, Bhitaha, District- West Champaran.
76. Krishna Kumar Kushwaha, Son of Ramayan Kushwaha, Resident of Village- Rampur, Litiha, P.O.- Bhatpur Rani, District- Deoria, presently posted at U.M.S. Dhebwa, Block- Kuchaikote, District- Gopalganj.
77. Ghanshyam Yadav, Son of Ram Bachan Yadav, Resident of Village- Lohata Pachdaura, P.O.- Govindpur, District- Ballia, presently posted at G.M.S. Pachokhar, Andar, District- Siwan.
78. Santosh Kumar Yadav, Son of Shiv Murat Yadav, Resident of Village- Mahari, P.O.- Mahari, District- Ballia, presently posted at U.M.S. Mahmoodpur, Hasanpura, District- Siwan.
79. Tishyarakshita Kumari, D/o- Surendra Prasad, Resident of Village- Bankatiya, P.O.- Rajapur, District- Gopalganj, presently posted at U.M.S. Balthari, Block- Kuchaikote, District- Gopalganj.
80. Sanjeev Kumar Kushwaha, Son of Motilal Kushwaha, Resident of Village- Dullah Chhapra, P.O.- Ghanti, District- Deoria, presently posted at U.M.S. Karanpura, Block- Kuchaikote, District- Gopalganj.
81. Anand Mohan, Son of Maneger Prasad, Resident of Village- Chhakahata Baletha, P.O. Mohammadpur, District Siwan, presently posted at U.M.S. Kampura, Block Kuchaikote, District- Gopalganj.
82. Nagendra Narayan, Son of Ram Bachan Chaudhary, Resident of Village- Ahirauli, P.O.- Nanura, District- Ballia, U.P. presently posted at R.M.S. Bishwambharpur, Block- Hasanpur, District- Siwan.
83. Krishna Nand Yadav, Son of Parama Nand Yadav, Resident of Village- Mahepur, P.O.- Parameth, District- Ghazipur, U.P. presently posted at U.M.S. Sinuara, District- Madhubani.
84. Chandra Prakash Mishra, Son of Ramdas Mishra, Resident of Village- Bharsar, Milki, P.O.- Bharsar, District- Ballia, presently posted at U.M.S. Karhara, Benipatti, District- Madhubani.
85. Anand Prakash Dubey, Son of Ramagrey Debey, Resident of Village- Mainpur, P.O.- Mainpur, District- Ghazipur, U.P. presently posted at G.M.S. Damodarpur, Benipatti, District- Madhubani.
86. Sunil Kumar Tiwari, Son of Sudhswari Tiwari, Resident of Village- Thakaraha, P.O.- Thakaraha, District- West Champaran, presently posted at U.M.S.



Amawa, Block- Gopalganj, District- Gopalganj.

.... Petitioner/s

Versus

- 1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
- 2. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
- 3. The Director, Primary Education, Government of Bihar, Patna.
- 4. The Principal Secretary, Finance Department, Government of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Md. Shakir Ahmad, Advocate

For the Respondent/s : Mr. Madhaw Pd. Yadav, GP23

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 19-01-2018

Heard learned counsel for the petitioners and the State.

Learned counsel appearing on behalf of the petitioners submits that the issue was already decided by Division Bench of this Court in C.W.J.C. No. 21199 of 2013 and other analogous cases, vide order dated 31.10.2017.

In view of the above, the writ application is disposed of in the light of the decision of the Division Bench of this Court in C.W.J.C. No. 21199 of 2013.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.01.2018
Transmission Date	NA

