

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1968 of 2016

IN

Civil Writ Jurisdiction Case No. 3460 of 2016

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1. RAJESHWAR PANDEY SON OF LATE RAMESHWAR PANDEY, RESIDENT OF VILLAGE- HATPOKHAR, P.O.- MASURHI, P.S.- JAGDISHPUR, PRAKHAND- JAGDISHPUR, DISTRICT- BHOJPUR (BIHAR).
 2. NIRANJAN RAM SON OF LATE DURJAN RAM, RESIDENT OF VILLAGE- BASAUNA, P.O.- DALIPPUR, P.S.- DHANGAIN, PRAKHAND- JAGDISHPUR, DISTRICT- BHOJPUR (BIHAR).
 3. RAM BIHARI PRASAD SON OF LATE HARIHAR SINGH, RESIDENT OF VILLAGE- AJNAP, P.O.- BARHI, P.O.- AYAR, P.S.- DHANGAIN, PRAKHAND- JAGDISHPUR, DISTRICT- BHOJPUR (BIHAR).
 4. GANESH RAM SON OF MOTILAL RAM, RESIDENT OF VILLAGE- TENDUNI, P.O.- TENDUNI, P.S.- JAGDISHPUR, PRAKHAND- JAGDISHPUR, DISTRICT- BHOJPUR (BIHAR).
 5. RAJENDRA PRASAD GUPTA SON OF SRI KESHARI SAH, RESIDENT OF VILLAGE- PHARPUR, P.O.- PAHARPUR, P.S.- GARHANI, PRAKHAND- GARHANI, DISTRICT- BHOJPUR (BIHAR).
 6. DHARAMSHIL DEVI, WIFE OF SRI BHOLA SINGH, RESIDENT OF VILLAGE- DIHRA, P.O.- MANIACH, P.S.- SANDESH, PRAKHAND- SANDESH, DISTRICT- BHOJPUR (BIHAR).
 7. AKHILESH KUMAR SINGH SON OF LATE MANKI SINGH, RESIDENT OF VILLAGE- MAHAUAO, P.O.- MAHAUAO, P.S.- BIHIYA, PRAKHAND- BIHIYA, DISTRICT- BHOJPUR (BIHAR).
 8. SRIRAM OJHA, SON OF LATE MANBODH OJHA, RESIDENT OF VILLAGE- SAHJAULI, P.O.- SAHJAULI, P.S.- SHAHPUR, PRAKHAND- SHAHPUR, DISTRICT- BHOJPUR (BIHAR).
 9. SITARAM THAKUR, SON OF LATE BALESHWAR THAKUR. RESIDENT OF VILLAGE- SAHJAULI, P.O.- SAHJAULI, P.S.- SHAHPUR, PRAKHAND- SHAHPUR, DISTRICT- BHOJPUR (BIHAR).
 10. RAMESH SINGH YADAV SON OF SRI BUDH NARAYAN YADAV, RESIDENT OF VILLAGE- DUMARIA, P.O.- BHARAULI, P.S.- SHAHPUR, PRAKHAND- SHAHPUR, DISTRICT- BHOJPUR (BIHAR).
 11. SHILA DEVI WIFE OF LATE BINAY KUMAR SINGH. RESIDENT OF VILLAGE- BHELAI, P.O.- BHELAI, P.S.- UDWANT NAGAR, PRAKHAND- UDWANT NAGAR, DISTRICT- BHOJPUR (BIHAR).
 12. SURENDRA PRASAD SINGH. SON OF SRI RAM BACHAN SINGH, RESIDENT OF VILLAGE- BHELAI, P.O.- BHELAI, P.S.- UDWANT NAGAR, PRAKHAND- UDWANT NAGAR, DISTRICT- BHOJPUR (BIHAR).
 13. BAIDEHI KUMARI SON OF BRIJA PANDEY, RESIDENT OF VILLAGE- ITHURI, P.O.- DUMARIYA, P.S.- SIKARHATA, PRAKHAND- TARARI, DISTRICT- BHOJPUR (BIHAR).
 14. RAJENDRA SINGH SON OF LATE DAROGA SINGH, RESIDENT OF VILLAGE- GOPALPUR, P.O.- BHADSERA, P.S.- TARARI, PRAKHAND- TARARI, DISTRICT- BHOJPUR (BIHAR).
 15. SUNAINA DEVI WIFE OF SHIVMUNI SINGH, RESIDENT OF VILLAGE- RAM MAHAL DIH, P.O.- CHAKIA, P.S.- SIKARHATA, PRAKHAND-



TARARI, DISTRICT- BHOJPUR (BIHAR).

16. SITA KUMARI WIFE OF RAMESH MOUAR, RESIDENT OF VILLAGE- HARDIYA, P.O.- GAHARUA, P.S.- TARARI, PRAKHAND- TARARI, DISTRICT- BHOJPUR (BIHAR).
17. BASANTI DEVI WIFE OF RAM BACHAN SINGH, RESIDENT OF VILLAGE- KESHOPUR GANGTI, P.O.- DUMKARIA, P.S.- TARARI PRAKHAND- TARARI, DISTRICT- BHOJPUR (BIHAR).
18. GANESH NARAYAN PANDEY SON OF LATE BANDHAN PANDEY, RESIDENT OF VILLAGE - NIMA, P.O.- PURHARA, P.S. - CHAURI, PRAKHAND- SAHAR, DISTRICT- BHOJPUR (BIHAR).
19. SHYAM NATH CHAUDHARY SON OF LATE JANKI CHAUDHARY, RESIDENT OF VILLAGE- DEO, P.O.- DEO, P.S.- SIKARHATA, PRAKHAND - TARARI, DISTRICT- BHOJPUR (BIHAR).
20. SHALIK RAM SON OF LATE BUDHU RAM, RESIDENT OF VILLAGE- AMHARUA, P.O.- GAHARUA, P.S.- TARARI, PRAKHAND - TARARI, DISTRICT- BHOJPUR (BIHAR).
21. VISHWANATH CHAUBEY SON OF LAGE SHIV PUJAN CHAUBEY, RESIDENT OF VILLAGE- BIPANDIH, P.O.- BHADSERA, P.S.- TARARI, PRAKHAND - TARARI, DISTRICT- BHOJPUR (BIHAR).
22. KANHAIYA MOUAR, SON OF SUBASH MOUAR, RESIDENT OF VILLAGE- AMHARUA, P.O.- GAHARUA, P.S.- TARARI, PRAKHAND - TARARI, DISTRICT- BHOJPUR (BIHAR).
23. AKHILESH CHAUBEY SON OF LATE HARIVANSH CHAUBEY, RESIDENT OF VILLAGE- BIPANDIH, P.O.- BHADSERA, P.S.- TARARI, PRAKHAND - TARARI, DISTRICT- BHOJPUR (BIHAR).
24. LILAWATI KUMARI WIFE OF SRI BISHWANATH CHAUBEY, RESIDENT OF VILLAGE- BIPANDIH, P.O.- BHADSERA, P.S.- TARARI, PRAKHAND - TARARI, DISTRICT- BHOJPUR (BIHAR).
25. RAMJEE CHAUBEY, SON OF LATE HARIVANSH CHAUBEY, RESIDENT OF VILLAGE- BIPANDIH, P.O.- BHADSERA, P.S.- TARARI, PRAKHAND - TARARI, DISTRICT- BHOJPUR (BIHAR).
26. BIRENDRA TIWARI SON OF LATE JAG NARAYAN TIWARI, RESIDENT OF VILLAGE- BARKAGAON, P.O.- BARKAGAON, P.S.- TARARI, PRAKHAND- TARARI, DISTRICT- BHOJPUR (BIHAR).
27. SUDAMA SINGH SON OF LATE KANAHAIYA SINGH, RESIDENT OF VILLAGE- KOTHIYA, P.O.- BIHTA ENGLISH, P.S.- IMADPUR, PRAKHAND- TARARI, DISTRICT- BHOJPUR (BIHAR).
28. RAM SAKAL SAH, SON OF LATE PARAS SAH, RESIDENT OF VILLAGE- ITHURI, P.O.- DUMARIYA, P.S.- SIKARHATA, PRAKHAND- TARARI, DISTRICT- BHOJPUR (BIHAR).
29. MAHENDRA SINGH SON OF LATE JIUT SINGH, RESIDENT OF VILLAGE- DHOKRAHA, P.O.- BIHTA, P.S.- IMADPUR, PRAKHAND- TARARI, DISTRICT- BHOJPUR (BIHAR).
30. BISHWANATH PRASAD SON OF LATE SHIV PUJAN SAH, RESIDENT OF VILLAGE- BARKAGAON, P.O.- BARKAGAON, P.S.- TARARI, PRAKHAND- TARARI, DISTRICT- BHOJPUR (BIHAR).

.... Appellants

Versus

1. THE STATE OF BIHAR THROUGH THE CHIEF SECRETARY, OLD SECRETARIAT, GOVERNMENT OF BIHAR, PATNA.



2. THE PRINCIPAL SECRETARY, DEPARTMENT OF MASS EDUCATION, GOVERNMENT OF BIHAR, PATNA.
3. THE PRINCIPAL SECRETARY, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS, GOVERNMENT OF BIHAR, PATNA.
4. THE DIRECTOR, PRIMARY EDUCATION DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT, GOVERNMENT OF BIHAR, PATNA.
5. THE DIRECTOR, MASS EDUCATION, DEPARTMENT OF EDUCATION, GOVERNMENT OF BIHAR, PATNA.

.... Respondents

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Appearance :

For the Appellants : Mr. Om Prakash Upadhyay, Advocate
Mr. Abhay Kumar Pandey, Advocate
For the Respondent/s : Mr. Ashutosh Ranjan Pandey, AAG-15

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 12-01-2018

Keeping in view the order passed on 3.3.2017 in C.W.J.C. No.384 of 2017 by a Coordinate Bench of this Court and finding the appellant to be identically situated and the fact that every individual is not required to move the petition separately and the Litigation Policy of the State also pertains to grant of benefit to all concerned, we modify the order passed on 11.8.2016 in the writ petition by the learned Writ Court and direct that the benefit of the judgment rendered earlier in various cases, including the Division Bench and the order passed by the Hon'ble Supreme Court, as are referred to in the order passed on 3.3.2017 in C.W.J.C. No.384 of 2017 (Harendra Mishra and others Vs. The State of Bihar and others) shall be conferred to all identically situated persons on their filing an



appropriate application by way of representation claiming the same and similar benefit.

With the aforesaid observation and modification to the order passed, the appeal stands allowed and disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	13.1.2018
Transmission Date	

