

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.12048 of 2011**

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Jay Ram Tiwari, Son of Late Dineshwar Tiwari, Resident of Village- Dharahara,  
P.O.-Amnaur, Distt- Saran at Chapra.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Human Resources Development Department,  
Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The Special Director, Primary Education, Government of Bihar, Patna.
5. The Regional Deputy Director of Education, Saran Division, Chapra.
6. The District Superintendent of Education-Cum-Enquiry Officer, Saran at  
Chapra.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate  
Mr. Rajesh Raoy, Advocate  
For the Respondent/s : Mr. Ajay Behari Sinha, GA-8  
Mr. Upendra Kr. Singh, AC to GA-8

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL JUDGMENT**  
**Date: 13-07-2018**

Heard learned counsel for the petitioner and State.

2. Mr. Bipin Bihari Singh, learned counsel for the  
petitioner submits that the issue raised in the present application is  
squarely covered by the decision of a Co-ordinate Bench of this Court  
dated 13.04.2017 passed in C.W.J.C. No. 2874 of 2016 and other  
analogous cases.

3. In view of the above, the writ application is  
disposed of with a direction to the respondents to examine the case of  
the petitioner in the light of the judgment dated 13.04.2017 passed in  
C.W.J.C. No. 2874 of 2016 and other analogous cases and if it is



found that the case of the petitioner is covered by the decision passed in C.W.J.C. No. 2874 of 2016 and other analogous cases, similar treatment should be extended to this petitioner also.

4. In case, the respondents find that the case of the petitioner is distinguishable on facts, the respondents may pass reasoned and speaking order rejecting the claim of the petitioner. Final decision in this regard must be taken by the respondents within a period of four months from the date of receipt/production of a copy of this order.

5. The interim order passed in the instant case shall abide by the final decision passed by the respondents in the light of the judgment dated 13.04.2017 passed in C.W.J.C. No. 2874 of 2016 and other analogous cases.

6. With the aforesaid, the writ application stands disposed of.

**(Anil Kumar Upadhyay, J)**

Uday/-

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| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
| Uploading Date    | 16.07.2018 |
| Transmission Date |            |

