

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1789 of 2017

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Ramesh Chandra Son of Late Devendra Kumar, Resident of Ramdas Path,
Mithapur, B-Area, Patna-I.P.S.-Gardanibagh and District-Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary-cum-commissioner,
Secondary and Primary Education, Government of Bihar, Patna.
2. The Director, Secondary Education, Government of Bihar, Patna
3. The Secretary, Finance Department Government of Bihar, Patna
4. The District Education Officer, Patna

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 1862 of 2017

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Kiran Verma, W/o Late Brahmanand Prasad, Resident of Bhanwar Pokhar, Near
Devi Asthan, Patna- 4, P.S.- Pirbahore, Patha- 4, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary cum Commissioner,
Secondary and Primary Education, Government of Bihar, Patna.
2. The Director, Secondary Education Government of Bihar, Patna.
3. The Secretary, Finance Department Government of Bihar, Patna.
4. The District Education Officer, Patna.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 3622 of 2017

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Md. Ali Hasan Ansari, S/o Late Md. Habeeb Ansari, Mohalla - Vill. - Magar Dahi
Ward No. 19, P.O. + P.S. + Distt. Samastipur Presently resident at Mohalla - Chhoti
Quazipura, Manhar Road - P.O. Lal Bagh, Darbhanga, P.S. Laheriasarai, District -
Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Cum Commissioner,
Secondary and Primary Education, Government of Bihar, Patna
2. The Director, Secondary Education Government of Bihar, Patna
3. The Secretary, Finance Department Government of Bihar, Patna
4. The District Education officer, Samastipur

... Respondent/s

with

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Civil Writ Jurisdiction Case No. 3159 of 2017

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Ramashray Prasad Sinha, S/o Late Garib Prasad Sinha, Resident of Mohalla-
Adarsh Nagar, Road No.3, P.O.+P.S.- Samastipur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary cum Commissioner,
Secondary and Primary Education, Government of Bihar, Patna.
2. The Director, Secondary Education, Government of Bihar, Patna.
3. The Secretary, Finance Department, Government of Bihar, Patna.
4. The District Education Officer, Samastipur.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 3618 of 2017

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Fatma Khatoon, W/o Late Wali Hussain Ansari, Resident of village + P.O.
Bikrampur Bande, P.S. Samastipur (Mufassil), District - Samastipur

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Cum Commissioner,
Secondary and Primary Education, Government of Bihar, Patna
2. The Director, Secondary Education Government of Bihar, Patna
3. The Secretary, Finance Department Government of Bihar, Patna
4. The District Education Officer, Samastipur

... Respondent/s

with

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Civil Writ Jurisdiction Case No. 1867 of 2017

=====

Anwar Ahmed S/O Late Dildar Hussain, Resident of – Akhtari Lane, Mandai
Dargah Road, Post- Mahendru, P.S. Sultanganj, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary cum Commissioner,
Secondary and Primary Education, Government of Bihar, Patna
2. The Director, Secondary Education Government of Bihar, Patna
3. The Secretary, Finance Department Government of Bihar, Patna
4. The District Education Officer, Patna

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 1952 of 2017

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Nudrat Jahan, W/o Late Hayat Ahmed, Resident of Mohalla- Fazullah Khan, Khan
Chowk, Post- Lal Bagh, P.S.- Laheriasarai, District- Darbhanga.

.... Petitioner/s



Versus

1. The State of Bihar through the Principal Secretary cum Commissioner, Secondary and Primary Education, Government of Bihar, Patna.
2. The Director, Secondary Education, Government of Bihar, Patna.
3. The Secretary, Finance Department, Government of Bihar, Patna.
4. The District Education Officer, Darbhanga.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 1996 of 2017

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Md. Gule Ahmed Ansari S/o late Md. Habibullah Ansari Resident of Mohalla-Shahsupan Dal Colony, P.O. Lalbagh, P.S. Laherisarai, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary cum Commissioner, Secondary and Primary Education, Government of Bihar, Patna.
2. The Director, Secondary Education Government of Bihar, Patna.
3. The Secretary, Finance Department Government of Bihar, Patna.
4. The District Education Officer, Darbhanga.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 2172 of 2017

=====

Md. Qasim, S/O Late Abdul Hameed, Resident of Mohalla- Raham Khan, Post-Lal Bagh, P.S.- Laheriasarai, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary cum Commissioner, Secondary and Primary Education, Government of Bihar, Patna.
2. The Director, Secondary Education Government of Bihar, Patna.
3. The Secretary, Finance Department Government of Bihar, Patna.
4. The District Education Officer, Darbhanga.

... Respondent/s

with

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Civil Writ Jurisdiction Case No. 2397 of 2017

=====

Ram Pravesh Sah S/O- Late Munsii Sah, Resident of -Mohalla- Shahganj Benta, Post-D.M.C. Laheria sarai, P.S.-Laheriasarai, District-Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary cum Commissioner, Secondary and Primary Education, Government of Bihar, Patna.
2. The Director, Secondary Education Government of Bihar, Patna.



3. The Secretary, Finance Department Government of Bihar, Patna.
4. The District Education Officer, Darbhanga.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 3002 of 2017

=====

A. T. Wasi Ahmad S/o Late Md. Usman Resident of Village - Rohua, P.O. + P.S. -
Rosera, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary cum Commissioner,
Secondary and Primary Education, Government of Bihar, Patna.
2. The Director, Secondary Education, Government of Bihar, Patna.
3. The Secretary, Finance Department, Government of Bihar, Patna.
4. The District Education Officer, Samastipur.

... Respondent/s

with

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Civil Writ Jurisdiction Case No. 3044 of 2017

=====

Nishat Afza W/O- Kafil Ahmad Khan, D/O- Afzal Hussain, Resident of Mohalla-
Faquira Khan, Post- Lal Bagh, P.S.- Laheriasarai, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary cum Commissioner,
Secondary and Primary Education, Government of Bihar, Patna.
2. The Director, Secondary Education Government of Bihar, Patna.
3. The Secretary, Finance Department Government of Bihar, Patna.
4. The District Education Officer, Darbhanga.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 3131 of 2017

=====

Afaque Ahmad Khan S/O Late Mushtaque Ahmad Khan, Resident of Mohalla-
Dharampur, Near Bital Chowk, Ward No. 1, P.O.+P.S.- Samastipur, District-
Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary cum Commissioner,
Secondary and Primary Education, Government of Bihar, Patna.
2. The Director, Secondary Education, Government of Bihar, Patna.
3. The Secretary, Finance Department, Government of Bihar, Patna.
4. The District Education Officer, Samastipur.



.... Respondent/s

Appearance :

(In CWJC No.1789 of 2017)

For the Petitioner/s : Ms. Shilpi Keshri with
Mr. Arun Kumar Bhagat and
Mr. Majid Mahboob Khan, Advocates

For the Respondent/s :

(In CWJC No.1862 of 2017)

For the Petitioner/s : Ms. Shilpi Keshri with
Mr. Arun Kumar Bhagat and
Mr. Majid Mahboob Khan, Advocates

For the Respondent/s :

(In CWJC No.3622 of 2017)

For the Petitioner/s : Ms. Shilpi Keshri with
Mr. Arun Kumar Bhagat and
Mr. Majid Mahboob Khan, Advocates

For the State :

(In CWJC No.3159 of 2017)

For the Petitioner/s : Ms. Shilpi Keshri with
Mr. Arun Kumar Bhagat and
Mr. Majid Mahboob Khan, Advocates

For the Respondent/s :

(In CWJC No.3618 of 2017)

For the Petitioner/s : Ms. Shilpi Keshri with
Mr. Arun Kumar Bhagat and
Mr. Majid Mahboob Khan, Advocates

For the Respondent/s :

(In CWJC No.1867 of 2017)

For the Petitioner/s : Ms. Shilpi Keshri with
Mr. Arun Kumar Bhagat and
Mr. Majid Mahboob Khan, Advocates

For the Respondent/s :

(In CWJC No.1952 of 2017)

For the Petitioner/s : Ms. Shilpi Keshri with
Mr. Arun Kumar Bhagat and
Mr. Majid Mahboob Khan, Advocates

For the Respondent/s :

(In CWJC No.1996 of 2017)

For the Petitioner/s : Ms. Shilpi Keshri with
Mr. Arun Kumar Bhagat and
Mr. Majid Mahboob Khan, Advocates

For the Respondent/s :

(In CWJC No.2172 of 2017)

For the Petitioner/s : Ms. Shilpi Keshri with
Mr. Arun Kumar Bhagat and
Mr. Majid Mahboob Khan, Advocates

For the State :

Mr. Madhaw Prasad Yadav, GP 23 with

Mr. Rajesh Kr. Sinha, AC to GP 23

(In CWJC No.2397 of 2017)

For the Petitioner/s : Ms. Shilpi Keshri with



Mr. Arun Kumar Bhagat and
Mr. Majid Mahboob Khan, Advocates

For the Respondent/s :
(In CWJC No.3002 of 2017)

For the Petitioner/s : Ms. Shilpi Keshri with
Mr. Arun Kumar Bhagat and
Mr. Majid Mahboob Khan, Advocates

For the Respondent/s :
(In CWJC No.3044 of 2017)

For the Petitioner/s : Ms. Shilpi Keshri with
Mr. Arun Kumar Bhagat and
Mr. Majid Mahboob Khan, Advocates

For the Respondent/s :
(In CWJC No.3131 of 2017)

For the Petitioner/s : Ms. Shilpi Keshri with
Mr. Arun Kumar Bhagat and
Mr. Majid Mahboob Khan, Advocates

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 18-05-2018

Heard learned counsel for the petitioners and learned
counsel for the State.

2. Pursuant to order dated 2nd May, 2018, the Secretary,
Department of Finance; the Director, Secondary Education and the
District Education Officer, Patna are present in Court.

3. At the very outset, the Secretary, Department of
Finance very fairly submitted that all previous affidavits had been
filed without the file even being sent to the Finance Department, but
pursuant to the previous order, upon the file being sent to the Finance
Department, it has been found that the proposal is *bona fide* and
accordingly the Finance Department has given its concurrence and the
file has also been returned within one day to the Department of



Education, which now has to process the same and take to its logical conclusion.

4. Having regard to the aforesaid, the Court records its appreciation of the Finance Department in being prompt in taking a decision. Now the Court expects that the Education Department would equally show such promptness in taking the matters to their logical conclusion and issuing appropriate notification in this regard.

5. In view thereof, since now only formalities are required to be completed and, in principle, the demand of the petitioners has been accepted, the writ petitions stand disposed off with the observation that the Department of Education would come out with appropriate notification within three weeks from today and accordingly whatever is required to be done in the case of the petitioners, formal orders in their cases shall also be passed and the benefits also given to them without any undue delay.

6. Personal appearance of the officers stands dispensed with.

(Ahsanuddin Amanullah, J)

Anjani/-

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