

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2608 of 2013

1. Prashant Bhardwaj Son Of Late Premdhar Jha Resident Of Village- Sharanpur, P.O.- Dabhara, P.S.- Tarabari, District- Araria, At Present Posted As Primary Teacher At Adarsh Middle School, Kursikanta, Araria
2. Deodutt Prasad Sah Son Of Late Saryug Prasad Sah Resident Of Village + Post Office- Pipra, P.S.- Ban Manakhi, District- Purnea, At Present Posted At Primary School, Bishanpur, Purnea
3. Pankaj Kumar Son Of Late Raghunath Prasad Dwivedi Resident Of Village + P.O. + P.S.- Amdabad, District- Katihar, At Present Posted At Upgraded Middle School, Dhanni Tola, Amdabad, Katihar
4. Abhimanyu Son Of Late Shanker Prasad Ram Resident Of Village- Devipur, P.O.- Nandlalpur, P.S.- Kahalgaon, District- Bhagalpur, At Present Posted At Aadarsh Middle School, Belauri, Purnea East, Purnea
5. Niraj Kumar Singh Son Of Late Phuleshwar Prasad Singh Resident Of Mohalla- New Colony Khazanchi Hat, P.O.- Bhatta Bazar, P.S.- K. Hat, District- Purnea. At Present Posted At Middle School Chimani Bazar, Sadar, Purnea
6. Amit Kumar Son Of Late Hari Narayan Jha Resident Of Village- Sahbazpur, P.O.- Bhadreswar, P.S.- Bathnaha, District- Araria, At Present Posted At Middle School Bhadreswar, Farbishganj, Araria
7. Akshay Kumar Son Of Late Surendra Nath Jha Resident Of Village- Bhadreswar, P.S.- Bathnaha, District- Araria, At Present Posted At Middle School, Sonapur, Narpatganj, Araria
8. Sanjay Kumar Jha Son Of Late Shankar Jha Resident Of Mohalla- Shivpuri Ward No. 9, Araria, At Present Posted At Middle School Harishchandrapur, Jalalgarh, Purnea
9. Rajiv Kumar Son Of Late Brajendra Kumar Jha Resident Of Budha Chauk Barmasiya Katihar, At Present Posted At Upgraded Middle School Banyel, Kasba, Purnea
10. Uttam Kumar Son Of Late Chandradeo Sharma Resident Of Village + P.O.- Dharhara District- Bhagalpur, At Present Posted At Govt. Middle School, Gopalpur, Bhagalpur
11. Md. Abu Bakur Son Of Late Md. Kasim Resident Of Village And P.O.- Dehri, Via- Madanpur, P.S.- Palasi, District- Araria, At Present Posted At Middle School, Majlispur, Palasi, Araria
12. Kamakhya Narayan Kumar Son Of Late Arun Kumar Razak Resident Of Mohalla- Sangram Chowk, Driver Tola, P.S. And District- Katihar. At Present Posted At Upgraded Middle School, Ghasi Tola, Mansahi, Katihar
13. Ramanuj Suman Son Of Late Ram Swaroop Prasad Sah Resident Of Mohalla- Azad Colony, Mirchaibari, Katihar At Present Posted At Primary School, Kushata, Mansahi, Katihar
14. Mritunjay Kumar Son Of Late Parmeshwar Pandit Resident Of Mirchaibari, Naya Tola, P.S. And District- Katihar At Present Posted At Upgraded Middle School, Bhawara Santhahi Katihar
15. Sant Prasad Sah Son Of Late Satyadeo Sah Resident Of Bela Badan, P.O.- Pipra, P.S.- Ban Manakhi, District- Purnea, At Present Posted At Primary School Belabadan Harizan Tola, Purnea
16. Ashok Kumar Bharti Son Of Late Ram Narayan Yadav Resident Of Village- Khuthari, P.S.- Banmanakhi, District- Purnea
17. Anant Kumar Son Of Late Sudhir Chandra Pal Resident Of Village And P.O.-



- Nawavganj, P.S.- Manihari, District- Katihar, At Present Posted At Upgraded Middle School, Bhawara Santhali, District- Katihar
18. Kumar Kunal Son Of Late Naresh Prasad Mandal Resident Of Mohalla- Manihar Near Bus Stand, District- Katihar, At Present Posted At Upgraded Middle School, Katiganj Baulia, Manihari, Katihar
19. Vishnudeo Singh Son Of Late Nagendra Narayan Singh Resident Of Village- Baluaghatti, P.O.- Hemkunj, P.S.- Amdabad, District- Katihar, At Present Posted At Middle School, Kishanganj, Amdabad, Katihar
20. Umesh Jha Son Of Late Rajanand Jha Resident Of Village + P.O.- Urlaha, P.S.- Palasi, District- Araria, At Present Posted At Middle School Majlispur, Palasi, Araria
21. Rajiv Ranjan Son Of Late Kamleshwri Prasad Nayak Resident Of Nayak Niwas, Koshi Colony Road, Hanumant Nagar, Ward No. 16 Araria At Present Posted At Middle School Diyari Block Araria District- Araria
22. Md. Shams Azhar Son Of Late Ayaz Ahmad Ansari Resident Of Village + P.O. + P.S.- Mahalgaon, Via- Garh Banaili, District- Araria. At Present Posted At Girls Primary School, Araria Basti Brahman Tola, Araria
23. Md. Shahnawaj Alam Son Of Late Md. Nurul Hoda Resident Of Azad Nagar, Ward No. 20, District- Araria At Present Posted At Middle School Bagadahra, Jokihat, Araria
24. Ranjan Kumar Son Of Late Jagdish Prasad Resident Of Ward No. 22, Araria, District- Araria, At Present Posted At Middle School, Halhalia, District- Araria
25. Prabir Prasoon Son Of Late Vijay Kumar Yadav Resident Of Village + P.O.- Dumaria, P.S.- Kishanganj, District- Kishanganj At Present Posted At Upgraded Middle School Kajlayami, Kishanganj
26. Rinku Kumari Wife Of Sri Niraj Kishore Resident Of C/O Sri Niraj Kishore Mohalla- Sultan Pokhar, Ward No. 04, Farbishganj, Araria, At Present Posted At Girls Middle School, Farbisganj, Araria
27. Anjana Singh Wife Of Late Jibachh Prasad Mehta Resident Of Village + P.O.- Mirzapur, Via- Meriganj, P.S.- Simraha, District- Araria, At Present Posted At Aadarsh Middle School Mirzapur, Farbisganj, Araria

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Education Department, New Secretariat, Bihar, Patna
2. The Secretary, Education Department, New Secretariat, Bihar, Patna
3. The Special Secretary, Education Department, Bihar, Patna
4. The Director, Primary Education, Education Department, Bihar, Patna
5. The Regional Deputy Director Of Education Purnea Commissioner, Purnea
6. The District Education Officer-Cum-Sub-Divisional Education Officer, Araria
7. The District Education Officer, Katihar
8. The District Education Officer, Purnea
9. The District Education Officer, Kishanganj
10. The District Education Officer, Bhagalpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abdul Wadood, Advocate
Mr. Kaushalesh Choudhary, Advocate

For the Respondent/s : Mr. S.Raza Ahmad, AAG-5
Mr. Vishambhar Prasad, AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT
Date: 04-07-2018

Heard learned counsel for the petitioners and State.

2. Learned counsel for the petitioners submits that the case of these petitioners is similar to that of Chandrashekhar Das, the petitioner of C.W.J.C. No. 246 of 2014, whose writ petition was withdrawn, as respondents themselves have admitted the claim of Chandrashekhar Das.

3. If the case of the petitioners is similar to that of Chandrashekhar Das, similar treatment should be extended to these petitioners also. In case, Chandrashekhar Das was wrongly granted the benefit, the respondents shall be at liberty to take corrective measures and pass appropriate order after giving an opportunity of hearing to the person, who is likely to be adversely affected by the order.

4. Learned counsel for the petitioners also points out that petitioner no.17, namely, Anant Kumar, of the instant case was also granted the same benefit.

5. The respondents are directed to examine the case of these petitioners in the light of the decision passed in Chandrashekhar Das as well as case of petitioner no.17 of the instant case, namely, Anant Kumar, and taken final decision in this regard within a period



of three months from the date of receipt/production of a copy of this order.

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

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.07.2018
Transmission Date	

