

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8644 of 2017

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1. Bipin Kumar, Son of Asho Singh, Resident of Village- Tajpur, P.S.- Barahiya, District- Lakhisarai.
 2. Arvind Kumar, Son of Rambalak Singh, Resident of Village- Barahiya, Ward No.1, P.S.- Barahiya, District- Lakhisarai.
 3. Anil Kumar, Son of Radha Krishna Singh, Resident of Village- Barahiya, Ward No.5, P.S.- Barahiya, District- Lakhisarai.
 4. Rampadarath Rajak, Son of Late Chhathu Rajak, Resident of Village- Sahazadpur, P.S.- Barahiya, District- Lakhisarai.
 5. Ramashrai Rajak, Son of Gurucharan Rajak, Resident of Upharaul, P.S.- Barahiya, District- Lakhisarai.
 6. Anil Kumar Singh, Son of Nand Kumar Singh, Resident of Village- Barahiya, Ward No.8, P.S.- Barahiya, District- Lakhisarai.
 7. Ramsharann Singh, Son of Chandra Mohan Singh, Resident of Village- Barahiya, Ward No.12, P.S.- Barahiya, District- Lakhisarai.
 8. Birendra Prasad Chaurashiya, Son of Shahdeo Prasad Chaurashiya, Resident of Village- Bodh Nagar, Ward No.23, P.S.- Barahiya, District- Lakhisarai.
 9. Om Prakash, Son of Kishori Ram, Resident of Village- Gosai Tola, P.S.- Barahiya, District- Lakhisarai.
 10. Keshav Prasad, Son of Ramawtar Prasad, Resident of Village- Kothawa, P.S.- Birupur, District- Lakhisarai.
 11. Renu Kumari, Wife of Narendra Singh, Resident of Village- Barahiya, P.S.- Barahiya, District- Lakhisarai.
 12. Sita Ram Prasad, Son of Chandradeep Prasad Chaurashia, Resident of Village- Khutha, P.S.- Barahiya, District- Lakhisarai.
 13. Arbind Kumar Singh, Son of Bhagwan Singh, Resident of Village- Chetan Tola Khutha, P.S.- Barahiya, District- Lakhisarai.
 14. Jai Jai Ram Paswan, Son of Late Haridawar Paswan, Resident of Village- Khushhal Tola, P.S.- Barahiya, District- Lakhisarai.
 15. Sudhir Kumar, Son of Late Parmeshwar Prasad Sharma, Resident of Village- Birupur, District- Lakhisarai.
 16. Arun Kumar, Son of Late Siya Ram Singh, Resident of Village- Barahiya, Ward No.6, P.S.- Barahiya, District- Lakhisarai.
 17. Kanchan Kumari, Wife of Anil Kumar, Resident of Village- Barahiya, P.S.- Barahiya, District- Lakhisarai.
 18. Pramod Kumar Jha, Son of Kamalnayan Jha, Resident of Village- Barahiya, Ward No.8, P.S.- Barahiya, District- Lakhisarai.
 19. Arun Kumar Singh, Son of Late Dashrath Prasad Singh, Resident of Village- Ganga Sarai, P.S.- Barahiya, District- Lakhisarai.
 20. Anandi Devi, Wife of Ramnandan Singh, Resident of Village- Jaitpur, P.S.- Barahiya, District- Lakhisarai.
 21. Purnima Kumari, Wife of Ramcharitar Singh, Resident of Village- Khuthadih, P.S.- Barahiya, District- Lakhisarai.
 22. Pankaj Kumar, Son of Kedar Singh, Resident of Village- Barahiya, P.S.- Barahiya, District- Lakhisarai.
 23. Nirmala Kumari, Daughter of Late Jaldhari Singh, Wife of Ram Bahadur Singh, Resident of Village- Khuthadih, P.S.- Barahiya, District- Lakhisarai.
 24. Kiran Kumari, Daughter of Viyash Singh, Resident of Village- Jhinaura,



- P.S.- Barahiya, District- Lakhisarai.
25. Ajay Kumar, Son of Dina Singh, Resident of Village- Pawai, P.S.- Barahiya, District- Lakhisarai.
26. Pramod Kumar Singh, Son of Ajablal Singh, Resident of Village- Lal Pawai, P.S.- Pipariya, District- Lakhisarai.
27. Sahdeo Prasad, Son of Phulo Sao, Resident of Village- Karari Pipariya, P.S.- Pipariya, District- Lakhisarai.
28. Kusum Kumari, Wife of Sarwan Kumar Sao, Daughter of Late Sita Ram Sao, Resident of Village- Pipariya, P.S.- Pipariya, District- Lakhisarai.
29. Deepaka Kumari, Daughter of Mahaveer Sao, Wife of Ram Saran Sao, Resident of Village- Karari Pipariya, P.S.- Pipariya, District- Lakhisarai.
30. Sarwan Kumar, Son of Satya Narayan Sao, Resident of Village- Karari Pipariya, P.S.- Pipariya, District- Lakhisarai.
31. Pratima Kumari, Daughter of Ambika Prasad Sharma, Resident of Village- Panghara, P.S.- Ramgarh, District- Lakhisarai.
32. Mala Kumari, Wife of Upendra Singh, Resident of Village- Pawai, P.S.- Pipariya, District- Lakhisarai.
33. Ganesh Prasad Rai, Son of Late Triveni Rai, Resident of Village- Dumri, P.S.- Barahiya, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Govt. of Bihar, Patna.
3. The Director, Mass Education, Govt. of Bihar, Patna.
4. The District Education Officer, Lakhisarai.
5. The District Programme Officer Literacy, Lakhisarai.
6. The Mass Education Officer, Lakhisarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bishnu Kant Dubey
Mr. Lalmani Sharma
For the Respondent/s : Smt. Shilpa Singh-Ga12

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-04-2018

The learned counsel for the petitioners points out that as per the order of the Hon'ble Supreme Court dated 26.2.2016 passed in SLP (Civil) No. 32079 of 2015 and other analogous cases, it has been directed that the relief granted by the High Court



in CWJC No. 21391 of 2011 vide order dated 11.8.2015 shall also be available to those petitioners who are instructors and whose cases are pending as on date i.e. on 26.2.2016 before the High Court, but shall not be applied to any fresh case.

The learned counsel for the petitioners submits that the case of the petitioners was pending before the High Court bearing CWJC No. 22802 of 2011, filed on 19.12.2011, hence this case is covered by the judgment of the Hon'ble Supreme Court affirming the judgment passed in aforesaid CWJC No. 21391 of 2011.

In view of the aforesaid, the respondent no.6 is directed to consider the case of the petitioners in light of the judgment passed in MJC No. 3968 of 2016 which is dated 23.2.2017 and pass final order within a period of six weeks from today.

The writ petition is disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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