

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6501 of 2016

- =====
1. Smt. Priyambada, D/o - Sri Geeta Singh, R/o Village + P.O. - Bihat (Ibrahimpur), District - Begusarai, presently posted as Assistant Teacher in Upgraded Middle School, Bihat - 3, Barauni, District - Begusarai.
 2. Smt. Mira Kumari, D/o - Sri Mahendra Prasad Singh, R/o - Ghosaith, P.O. - Piri Bazar (Retd. from the post of Assistant Teacher, Upgraded Middle School, Bihat - 3, Village - Barouni), District - Begusarai. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, New Secretariat, District - Patna.
2. The Director, Primary Education, Education Department, Government of Bihar, New Secretariat, District - Patna.
3. The Regional Deputy Director of Education, Munger Division, District - Munger.
4. The District Education Officer, District - Begusarai.
5. The District Program Officer (Establishment), District - Begusarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Purushotam Kumar Jha, Advocate
For the Respondent/s : Mr. Arvind Ujjwal, SC-4
Mr. M. Nath Raoy, AC to SC-4

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date: 04-04-2018

Heard learned counsel for the petitioners and respondents.

2. Learned counsel for the petitioner submits that petitioner no.2, Smt. Mira Kumari, died during the Pendency of this writ application and such liberty may be granted to the heirs of petitioner no.2 to represent the Director, Primary Education so that the monetary relief, if admissible, may be granted to the heirs of petitioner no.2.

3. Learned counsel for the petitioners placed reliance on Annexures- 5 and 6 to assert that the case of the petitioners is similar to the case of petitioners of C.W.J.C. No. 10295 of 2009 and



C.W.J.C. No.1303 of 2008 and analogous case and as such the petitioners deserve similar treatment.

4. Without expressing any opinion on the similarity of the case of the petitioners to the case of Shiv Kant Jha & Ors. and Sunaina Kumari and others, this Court considers it appropriate to dispose of the writ application with a direction to the petitioners to file detailed representation inclosing the relevant document to indicate that their case is similar to that of Shiva Kant Jha and others and as such they deserve similar treatment.

5. In view of the above, liberty shall be available to the petitioners to file exhaustive representation within a period of one month from today before the Director, Primary Education, who shall examine the claim of the petitioners in the light of the decision contained in Annexures- 5 and 6 and pass appropriate order as to the entitlement of the petitioners and in case the respondent Director, Primary Education does not find merit in the claim of the petitioners he may give the reason for rejecting the claim of the petitioner.

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

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.04.2018
Transmission Date	

