

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1421 of 2017

Meera Kumari, Wife of Dilip Kumar, resident of village- Gadhia-
Kumarkhand, P.O.+P.S. Kumarkhand, District- Madhepura

... .. Appellant/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Department of Education, Government of Bihar, Patna
3. The Principal Secretary, Department of Personnel and Administrative Reforms, Government of India, Patna
4. The Director, Mass Education, Bihar, Patna
5. The District Programme Officer (Literacy), Madhepura-Cum-District Adult Education Officer, Madhepura
6. The District Magistrate, Madhepura
7. The Secretary, Central Adult Education Council, Madhepura, District Madhepura

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Rajendra Narain, Sr. Adv.
For the Respondent/s	:	Mr. ASHUTOSH RANJAN PANDEY -AAG15

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 19-02-2018

Having considered learned counsel for the parties, we find that cases of the employees, who were engaged under the Non-formal Education Programme as Non-formal Supervisor and Instructors, as a consequence of implementation of the scheme by the State Government, various directions have been issued by this Court in various writ petitions and finally the matter came before a Division Bench of this Court and a Co-ordinate Bench of this



Court has passed orders, as are contained in Annexure 13 (page 54 of the paper-book) in L.P.A. No.1489 of 2011 and other cases and the S.L.P. filed by the State Government has also dismissed by the Hon'ble Supreme Court, as is evident from Annexure 14.

As far as the interest of the present appellant is concerned, the learned Writ Court refused to consider the case of the appellant on the ground that the appellant's case is not covered by the policy of the State Government, as contained in Annexure 15 dated 26.9.2016. However, while doing so, learned Writ Court lost sight of the fact that 39 persons, who were working in the Central Adult Education Council, Madhepura (N.G.O.) were also recommended to be considered and the petitioner was also one of the 39 persons.

That being so, we see no reason to deny the benefit to the petitioner as the learned Writ Court has not considered the grievance and the policy decision of the State Government as contained in Annexure 15 dated 26.9.2016, wherein specific recommendation has been made with regard to 39 persons and petitioner is one of them, as claimed by the petitioner.

Accordingly, we allow the appeal and direct the State Government to consider the case of the petitioner also, as indicated hereinabove, and take a decision in accordance with law within a



period of 60 days from the date of receipt/production of a copy of this order and similar treatment, as has been granted to other 38 persons, be extended to the appellant also.

Accordingly, Annexure 17 dated 2.1.2010 stands quashed and the respondents are directed to re-consider the case of the petitioner afresh as directed hereinabove

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
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