

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7924 of 2018

1. Anup Kumar, Son of Sri Gajendra Mohan Prasad, Resident of Mohalla-Janakpur, Sujata Press, Near- River Side, Police Station- Muffasil, District- Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Pachlakh, Anchal- Khizersari, District- Gaya.
2. Pankaj Kumar, Son of Late Kamal Prasad Singh, Resident of Mohalla-Jheelganj, Pipragali, Police Station- Kotwali, District- Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Barew, Anchal- Manpur, District- Gaya.
3. Manoj Kumar, Son of Late Rampadarath Singh, Resident of Mohalla-Maksudpur House, Moria Ghat, Police Station- Kotwali, District- Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Pahra, Anchal- Guraru, District- Gaya.
4. Md. Nasim Uddin, Son of Late Abdul Mannan, Resident of Village- Bathani, Police Station- Neemchak Bathani, District- Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Manpur Adda, Anchal- Nagar Nigam (South), District- Gaya.
5. Jitendra Narayan Singh, Son of Late Balkeshwar Singh, Resident of Village-Manjathi, Police Station- Bandeya (Goh), District- Aurangabad. At present posted and working as an Assistant Teacher in Govt. Middle School Rasalpur, Anchal- Manpur, District- Gaya.
6. Mukesh Kumar, Son of Late Upendra Narayan Singh, Resident of Mohalla-Siddharthpuri Colony, Police Station- Muffasil, District- Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Kodihara, Anchal- Khizersarai, District- Gaya.
7. Deo Kumar Singh, Son of Late Harihar Singh, Resident of Mohalla- Tekari Road Golpathar, Police Station- Kotwali, District- Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Raghunathkhap, Anchal- Gurua, District- Gaya.
8. Chandramani Kumar, Son of Late Mahendra Prasad Singh, Resident of Village- Jamuawan, Police Station- Mahkar, District- Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Simrauka, Anchal- Khizersarai, District- Gaya.
9. Santosh Kumar Sinha, Son of Sri Sudhir Kumar Sinha, Resident of Mohalla-New Godown Gaya, Police Station- Kotwali, District- Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Padya, Anchal- Barachatti, District- Gaya.
10. Chandrabhushan Kr Sinha, Son of Late Shiv Pujan Sinha, Resident of Mohalla-Hanuman Nagar, Road No. 7, Mustafabad, Police Station- Rampur, District- Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Mahmadda, Anchal- Paraiya, District- Gaya.
11. Akshay Kumar, Son of Late Bigan Das, Resident of Village- Sagarpur, Police Station- Makhdumpur, District- Jehanabad. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Bhaluwa, Anchal- Dobhi, District- Gaya.
12. Shreeniwas Sharma, Son of Late Hridaya Nandan Sharma, Resident of Village-Kathautiya, Police Station- Aanti (Konch), District- Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Rasalpur, Anchal- Manpur, District- Gaya.



13. Imran Khan, Son of Late Md. Waizuddin Khan, Resident of Village- Mahesh Tikry via Basantrai, Police Station- Pathargama, District- Godda (Jharkhand). At present posted and working as a Assistant Teacher in Govt. Middle School Gaya, Anchal- Nagar Nigam (North), District- Gaya.
14. Anil Kumar, Son of Chandrika Prasad, Resident of Village- Kukra, Police Station- Buniyadganj, District- Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Tikar Hingi, Anchal- Atri, District- Gaya.
15. Satya Prakash, Son of Sri Hari Sao, Resident of Mohalla- Bithosharif, Police Station- Chandauti, District- Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Birnoi, Anchal- Atri, District- Gaya.
16. Surendra Kumar, Son of Late Ram Das Prasad, Resident of Village- Lakerdewa, Police Station- Sherghati, District- Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Kanhaul, Anchal- Bodh- Gaya, District- Gaya.
17. Sunil Kumar, Son of Sri Mohan Lal Gupta, Resident of Mohalla- Sadar Bazar Jamalpur, Police Station- Jamalpur, District- Munger. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Bahera, Anchal- Dobhi, District- Gaya.
18. Ramjee Prasad, Son of Late Harihar Mahto, Resident of Village- Nanand, Police Station- Silao, District- Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Baraini, Anchal- Neemchak Bathani, District- Gaya.
19. Vinod Kumar Ravidas, Son of Arjun Das, Resident of Village- Angra, Post Office+ Police Station- Angra(Aanti), District- Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Alampur, Anchal- Tekari, District- Gaya.
20. Jay Shankar Tiwary, Son of Late Kameshwar Tiwary, Resident of Village- Kachanwa, Police Station- Bela, District- Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Akbarpur, Anchal- Tekari, District- Gaya.
21. Prem Kumar Das, Son of Late Sarjoo Ram Das, Resident of Village- Chotki Nawada, Police Station- Delha, District- Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Amokhar, Anchal- Paraiya, District- Gaya.
22. Binod Bihari, Son of Late Sukhdeo Prasad, Resident of Village- Kosma, Police Station- Chandauti, District- Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Karjani, Anchal- Atri, District- Gaya.
23. Manoj Kr Nandkulyar, Son of Sheonandan Prasad, Resident of Mohalla- Ramdhanpur, Police Station- Kotwali, District- Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Sarvajanik Arya Middle School Ashram, Anchal- Nagar Nigam (South), District- Gaya.
24. Sudhir Kumar, Son of Late Jainandan Prasad Singh, Resident of Mohalla- Ramdhanpur, Police Station- Kotwali, District- Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Paroriya, Anchal- Manpur, District- Gaya.
25. Santosh Kumar, Son of Late Munarik Ram, Resident of Village- Palaki Sakhi, Police Station- Konch, District- Gaya. At present posted and working as an Assistant Teacher in Govt. Middle School Raunagarh, Anchal- Guraru, District- Gaya.
26. Arshad Hussain, Son of Late Md. Shabbir Hussain, Resident of Mohalla-



Nagmatiya Colony, Police Station- Civil Line, District- Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Urdu Middle School Nauranga, Anchal- Manpur, District- Gaya.

27. Subir Kumar Singh, Son of Late Geeta Prasad, Resident of Mohalla- Lakhibagh Near- Gauri Kanya, Middle School, Police Station- Muffasil, District- Gaya. At present posted and working as an Assistant Teacher in Govt. Middle School Shikhar, Anchal- Manpur, District- Gaya.
28. Biresh Kumar Sinha, Son of Sri Ram Sharan Prasad, Resident of Village- Nanand, Police Station- Silao, District- Nalanda. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Patuhla, Anchal- Wazirganj, District- Gaya.
29. Satendra Kumar Singh, Son of Late Ram Singh, Resident of Village- Malti, Police Station- Atri, District- Gaya. At present posted and working as a Trained Graduate Teacher in Govt. Middle School Pura, Anchal- Wazirganj, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
4. The Director, Primary Education, Government of Bihar, Patna.
5. The District Education Officer, District- Gaya.
6. The District Programme Officer (Establishment) District- Gaya.
7. The Sub- Inspector of School, Nagar Nigam (South), Gaya.
8. The Sub- Inspector of School, Nagar Nigam (North), Gaya.
9. The Block Education Officer, Belaganj, District- Gaya.
10. The Block Education Officer, Wazirganj, District- Gaya.
11. The Block Education Officer, Manpur, District- Gaya.
12. The Block Education Officer, Khizersarai, District- Gaya.
13. The Block Education Officer, Atari, District- Gaya.
14. The Block Education Officer, Bodhgaya, District- Gaya.
15. The Block Education Officer, Barachatti, District- Gaya.
16. The Block Education Officer, Gurua, District- Gaya.
17. The Block Education Officer, Konch, District- Gaya.
18. The Block Education Officer, Tekari, District- Gaya.
19. The Block Education Officer, Bathani, District- Gaya.
20. The Block Education Officer, Paraiya, District- Gaya.
21. The Block Education Officer, Dobhi, District- Gaya.
22. The Block Education Officer, Guraru, District- Gaya.
23. The Headmaster cum Drawing & Disbursing Officer, Govt. Middle School Khizersarai, Anchal- Khizersarai, District- Gaya.
24. The Headmaster cum Drawing & Disbursing Officer, Govt. Middle School Manpur Adda, Anchal- Manpur, District- Gaya.
25. The Headmaster cum Drawing & Disbursing Officer, Govt. Alakhdeo Middle School Guraru, District- Gaya.
26. The Headmaster cum Drawing & Disbursing Officer, Govt. Middle School Pirasin, Anchal- Dobhi, District- Gaya.
27. The Headmaster cum Drawing & Disbursing Officer, Govt. Middle School Konch, Anchal- Konch, District- Gaya.
28. The Headmaster cum Drawing & Disbursing Officer, Govt. Middle School



- Kajoor, Anchal- Atari, District- Gaya.
29. The Headmaster cum Drawing & Disbursing Officer, Govt. Girls Middle School Bodh- Gaya, Anchal- Bodh- Gaya, District- Gaya.
 30. The Headmaster cum Drawing & Disbursing Officer, Govt. Middle School Parishad, Anchal- Paraiya, District- Gaya.
 31. The Headmaster cum Drawing & Disbursing Officer, Govt. Middle School Gurua, Anchal- Gurua, District- Gaya.
 32. The Headmaster cum Drawing & Disbursing Officer, Govt. Mahavir Middle School, Anchal- Nagar Nigam, District- Gaya.
 33. The Headmaster cum Drawing & Disbursing Officer, Govt. Town Middle School Tekari, Anchal- Tekari, District- Gaya.
 34. The Headmaster cum Drawing & Disbursing Officer, Govt. Middle School Neemchak Bathani, Anchal- Neemchak Bathani, District- Gaya.
 35. The Headmaster cum Drawing & Disbursing Officer, Govt. Middle School Wazirganj, Anchal- Wazirganj, District- Gaya.
 36. The District Accounts Officer, District- Gaya.
 37. The District Treasury Officer, District- Gaya.
 38. The District Sub- Treasury Officer, Tekari, District- Gaya.
 39. The District Sub- Treasury Officer, Sherghati, District- Gaya.

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate
For the Respondent/s : Mr. Ashutosh Ranjan Pandey- AAG15

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 01-05-2018

Heard learned counsel for the petitioners and the State.

2. Mr. Umesh Kumar Mishra, learned counsel for the petitioners submits that the case of the petitioners is fully covered by Annexures-5 i.e. order dated 31.03.2011 in C.W.J.C. No. 6139 of 2007, Annexure-10, the order passed by the L.P.A. Bench in L.P.A. No. 756 of 2015 dated 16.08.2017 and Annexure-11, the order dated 01.11.2017 in C.W.J.C. No.14670 of 2014.

3. In view of the above, the writ application is disposed of with a direction to the District Programme Officer



(Establishment), Gaya to examine the case of the petitioners in the light of the decision of this Court as indicated hereinabove within a maximum period of 60 days from the date of receipt/production of a copy of this order and extend the same benefit to the petitioners, if it is found covered by the decision in L.P.A. in view of the litigation policy of the State Government.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.05.2018
Transmission Date	

