

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8319 of 2018

1. Ajay Kumar Ram, Son of Nandu Ram, Resident of Village- Gulariya Tola, Post Office+ Police Station- Ghorasahan, District- East Champaran at Motihari. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Dipahi Main Road, Block- Chiraiya, District- East Champaran at Motihari.
2. Ashutosh Kumar, Son of Kameswar Prasad Singh, Resident of Village- Tinkoni, Police Station- Darpa, District- East Champaran at Motihari. At present posted and working as an Assistant Teacher in Govt. Primary School Sukhl Miya, Block- Chhauradano, District- East Champaran at Motihari.
3. Md. Javed Alam, Son of Late Iftekhar Ahmad, Resident of Village- Masahi, Police Station- Chauradano, District- East Champaran at Motihari. At present posted and working as an Assistant Teacher in Govt. Primary School Purushottampur (Hindi), Block- Chauradano, District- East Champaran at Motihari.
4. Sunil Prasad, Son of Late Bacha Prasad, Resident of Village- Bangara, Post Office- Jasauli, Police Station- Kotwa, District- East Champaran at Motihari. At present posted and working as an Assistant Teacher in Govt. Middle School Rajapur Mathia, Block- Kotwa, District- East Champaran at Motihari.
5. Firoz Alam, Son of Late Aftab Alam, Resident of Village- Raghunathpur Bazar, Police Station- Sugauli, District- East Champaran at Motihari. At present posted and working as an Assistant Teacher in Govt. Primary School Raxaul (Urdu), Block- Raxaul, District- East Champaran at Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Principal Secretary, Finance Department, Government of Bihar, Patna.
4. The Director, Primary Education, Bihar, Patna.
5. The District Education Officer, East Champaran at Motihari.
6. The District Programme Officer (Establishment) East Champaran at Motihari.
7. The Block Education Officer, Chiraiya, District- East Champaran at Motihari.
8. The Block Education Officer, Chauradano, District- East Champaran at Motihari.
9. The Block Education Officer, Kotwa, District- East Champaran at Motihari.
10. The Block Education Officer, Raxaul, District- East Champaran at Motihari.
11. The District Accounts Officer, East Champaran at Motihari.
12. The District Treasury Officer, East Champaran at Motihari.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 9460 of 2018



1. Kameshwar Chaudhary Son of late Manki Chaudhary @ Manaki Chaudhary Resident of Village- Mallah Toli Manpur, Manpur Gaya, Buniyadganj, District- Gaya. At Present residing at Nawdiha, Police Station- Khizersarai, District- Gaya, At Present posted and working as Headmaster in Govt. Middle School Tetua, Anchal- Atari, District- Gaya.
2. Bharat Rajak Son of Choba Rajak Resident of Village- Gere, Police Station- Muffasil, District- Gaya. at Present Posted and working as an Assistant Teacher in Govt. Middle School Bhithara, Anchal- Atari, District- Gaya.
3. Surendra Kumar Son of Yogeshwar Prasad Resident of Village- Ranpur, Post Office- Jethian, Police Station- Atari, District- Gaya, At Present Posted and Working as an Assistant Teacher in Govt. Middle School Jehli Bigaha, Anchal- Atari, District- Gaya.
4. Vimla Kumari Daughter of Mithlesh Sharan Sinha Resident of Village- Oap, Police Station- Aungaridham, District- Nalanda, at Present Posted and working as an Assistant Teacher in Govt. Middle School Budhi(Bhaure), Anchal- Manpur, District- Gaya.
5. Surendra Prasad Son of late Ramesh Prasad Singh Resident of Village- Tetua, Police Station- Atari, District- Gaya, At Present Posted and working as Headmaster in Govt. Middle School Bahorma, Anchal- Atari, District- Gaya.
6. Shashibhushan Chaudhary Son of late Puna Chaudhary Resident of Village- Tetua, Police Station- Atari, District- Gaya, At Present Posted and working as Headmaster in Govt. Middle School Chahal Mudera, Anchal- Atari, District- Gaya.
7. Rajaram Kumar Son of late Nathun Sao Resident of Village- Tetua, Police Station- Atari, District- Gaya, At Present Posted and working as Headmaster in Govt. Middle School Gohchak, Anchal- Atari, District- Gaya.
8. Ramswaroop Prasad Mandal Son of Rupan Mandal Resident of Village- Malathi, Police Station- Atari District- Gaya, At Present Posted and working as Headmaster in Govt. Middle School Birnoi, Anchal- Atari, District- Gaya.
9. Utpal Vishwakarma Son of Sri Birju Vishwakarma Resident of Village-Khiri, Post Office- Dharepa, Police Station- Wazirganj, District- Gaya, At Present Posted and working as a Headmaster in Govt. Middle School Bara, Anchal- Atari, District- Gaya.
10. Mahabir Singh Son of late Kedar Singh Resident of Mohalla- Powerganj, Bageshwari Road, Police Station- Kotwali , District- Gaya, At Present Posted and working as Headmaster in Govt. Middle school Utrain, Anchal- Konch, District- Gaya.
11. Raj Kumar Prasad Son of Vidya Shankar Prasad Resident of Village- Titaiganj, Police Station- Tekari, District- Jehanabad. At Present Posted and working as a Headmaster in Govt. Middle School Ram Bigaha, Anchal- Tekari, District- Gaya.
12. Yugal Kishor Singh, Son of Late Deoratan Prasad, Resident of Village- Par Paraiya, Police Station- Paraiya, District- Gaya. At Present posted and working as a Trained Graduate Teacher in Govt. Middle School Sonbarsa, Anchal- Paraiya, District- Gaya.
13. Rakesh Kumar Sinha, Son of Late Ganesh Prasad, Resident of Kamla Bhawan, Ramnagar, P.S.- Shastrinagar, District- Gaya. At



- present posted and working as a Headmaster in Govt. Middle School Sakardas, Anchal- Nawada, District- Gaya.
14. Sunil Kumar, Son of Sri Ramswaroop Prasad, Resident of Mohalla- Maharani Road, Raj Colony, Police Station- Kotwali, District- Gaya. At present posted and working as an Assistant Teacher in Govt. Middle School Kharati Balna Tand, Anchal- Bodh gaya, District- Gaya.
 15. Anil Kumar, Son of Sri Ganga Ram, Resident of Village- Bairagi, Post Office- R.S., Police Station- Delha, District- Gaya. At present posted and working as a Headmaster in Govt. Middle School Malheya, Anchal- Tekari, District- Gaya.
 16. Rakesh Kumar Sinha, Son of Late Awadh Kishor Prasad Sinha, Resident of Awadh Kunj, Khatkachak, Maranpur, Police Station- Vishnupad, District- Gaya. At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Pakari, Anchal- Fatehpur, District- Gaya.
 17. Pawan Kumar Alok, Son of Late Jagat Prasad Singh, Resident of Village- Dariyapur, Police Station- Atari, District- Gaya. At present posted and working as an Assistant Teacher in Govt. Middle School Karamchak, Anchal- Mohra, District- Gaya.
 18. Murari Mishra, Son of Late Srikrishna Mishra, Resident of Village- Budhwara, Police Station- Gobindpur, District- Nawada. At present posted and working as an Assistant Teacher in Govt. Middle School Telbigaha, Anchal- Khizer Sarai, District- Gaya.
 19. Deepak Kumar Sinha, Son of Sri Sarbdaman Kumar Sinha, Resident of Village- Titaiganj, Manpur, Police Station- Muffasil, District- Gaya. At present posted and working as a Headmaster in Govt. Middle School Bodhchak, Anchal- Wazirganj, District- Gaya.
 20. Vivek Kumar Sinha, Son of Sri Sarbdaman Kumar Sinha, Resident of Village- Titaiganj, Manpur, Police Station- Muffasil, District- Gaya. At present posted and working as a Headmaster in Govt. Middle School Jamuawan, Anchal- Khizersarai, District- Gaya.
 21. Dilip Kumar Sinha, Son of Late Awadhesh Kumar, resident of Village- Manpur Kumhar Toli, Buniyadganj, Police Station- Muffasil, District- Gaya. At present posted and working as a Headmaster in Govt. Middle School Piar, Anchal- Atari, District- Gaya.
 22. Mukul Sinha, Son of Late Sachidanand Sinha, Resident of Village- Gorakshni B Near Old J.J. College, Police Station- Muffasil, District- Gaya. At present posted and working as a Headmaster in Govt. Middle School Sahil Pathra, Anchal- Tankuppa, District- Gaya.
 23. Randeep Kumar Son of Chotan Ram Resident of Mohalla - Manpur Shivcharan Lane, Police Station - Buniyadganj, District - Gaya At present posted and working as a Headmaster in Govt. Middle School Imaliyachak, Anchal - Atari, District - Gaya.
 24. Satyanarayan Prasad Son of Bhuneshwar Prasad Resident of Village - Hethmanpur, Police Station - Buniyadganj, District - Gaya. At present posted and working as an Assistant Teacher in



- Govt. Upgraded Middle School Lalganj, Anchal - Khizaesarai, District - Gaya.
25. Neelam Kumar Son of Bindeshwar Prasad Mahto Resident of Village + Post Office - Dhawal Bigha, Police Station - Hulasganj, District - Jehanabad. At present posted and working as an Assistant Teacher in Govt. Middle School Akauni, Anchal - Khizarsarai, District - Gaya.
 26. Ambuj Kumar Bharti Son of Sri Ram Bilash Singh Resident of Mohalla - Janta Colony, Bairagi, Police Station - Delha, District - Gaya, At present posted and working as Headmaster in Govt. Middle School Maranchi, Anchal - Paraiya, District - Gaya.
 27. Ravi Shankar Sahay Son of Late Virendra Kumar Resident of Village - Murlihill, Police Station - Kotwali, District - Gaya, At present posted and working as a Headmaster in Govt. Middle School Gangati, Anchal - Atari, District - Gaya.
 28. Uday Shankar Kumar Son of Late Virendra Kumar Resident of Village - Murlihill, Police Station - Kotwali, District - Gaya, At present posted and working as a Headmaster in Govt. Middle School Kerki, Anchal - Guraru, District - Gaya.
 29. Shambhu Sharan Singh Son of Sri Kamta Prasad Singh Resident of Village - Janakpur, Manpur, Police Station - Muffasil, District - Gaya. At present posted and working as a Headmaster in Govt. Middle School Gajadharpur, Anchal - Tankuppa, District - Gaya.
 30. Manoj Kumar Son of Late Raghu Pandit Resident of Village - Mayapur, Post Office - Bhangausha Makhdumpur, Police Station - Wazirganj, District - Gaya at present posted and working as as Assistant Teacher in Govt. Middle School Achayvat, Anchal - Nagar Nigam, District - Gaya.
 31. Prashant Kumar Son of late Shailendra Kumar Sinha Resident of Mohalla- Krishna Prakash Lane, Police Station- Kotwali, District- Gaya, At Present Posted and working as an Assistant Teacher in Govt. Shahid Middle School Anchal- Nagar Nigam (North), District- Gaya.
 32. Upendra Kumar Singh Son of late Musafir Singh Resident of Village- Khiri, Police Station- Wazirganj, District- Gaya, at Present Posted and working as an Assistant Teacher in Govt. Middle School Khiri, Anchal- Wazirganj, District- Gaya.
 33. Pravindra Kumar Son of Sri Madan Mohan Prasad Resident of Mohalla- Taj Colony, Badi Bagh, Police Station- Kotwali, District- Gaya, At Present Posted and working as a Headmaster in Govt. Middle School Adai, Anchal- Konch, District- Gaya.
 34. Yusuf Alam Son of Akhtar Alam Resident of Village- Gewal Bigaha, Police Station- Rampur, District- Gaya, At Present Posted and working as a Headmaster in Govt. Urdu Middle School Gewal Bigaha, Anchal- Nigam(South), District- Gaya.
 35. Amrendra Kumar Son of Mohan Ram Resident of Village- Khajuri, Police Station- Wazirganj, District- Gaya, at Present Posted and working as a Headmater in Govt. Mahabir Middle School, Gaya Anchal- Nagar Nigam(North), District- Gaya.
 36. Prabhavati Rani Wife of Arun Kumar Sinha Resident of Mohalla- Khawa Nala Road, Dakshin Darwaza, Police Station- Vishnupad, District- Gaya. At Present Posted and working as a



- Headmaster in Govt. Kanya Middle School, Bodh- Gaya, Anchal- Bodh Gaya, District- Gaya.
37. Rajesh Kumar Srivastava Son of late Gopal Prasad Srivastava Resident of Mohalla- Gol Bagicha, Kallu Lal Lane, Police Station- Kotwali , Gaya, At Present Posted and working as an Assistant Teacher in Govt. Mahavir Middle School, Gaya, Anchal- Nagar Nigam (North), District- Gaya.
38. Neeraj Kumar Son of late Raja Ram Sharma Resident of Mohalla- Murarpur Road, Police Station- Kotwali, District- Gaya, At Present Posted and working as an Assistant Teacher in Govt. Middle School Chakand-I, Anchal- Nagar Prakhanda, District- Gaya.
39. Naveen Kumar Sinha Son of Jagat Shankar Prasad Resident of Village-Babhaur, Narhat, Police Station- Nawada, District- Gaya, At Present Posted and working as a Headmaster in Govt. Middle School Khajuri, Anchal- Fatehpur, District- Gaya.
40. Md. Naushad Son of Md. Kashim Resident of Village- Nauranga, Police Station-Muffasil, District- Gaya, At Present Posted and Working as a Headmaster in Govt. Middle School Donaiya, Anchal- Fatehpur, District- Gaya.
41. Md. Sahab Uddin Son of Jafir Uddin Resident of Village- Jagdishpur, Police Station- Muffasil, District- Gaya, At Present Posted and working as a Headmaster in Govt. Middle School Mataso, Anchal- Fatehpur, District- Gaya.
42. Ramchandra Prasad Son of Daso Prasad Resident of Village- Farka, Police Station- Fatehpur, District- Gaya, At Present Posted and working as a Headmaster in Govt. Middle School Yashpur, Anchal- Fatehpur, District- Gaya.
43. Rajesh Kumar Son of Shobhi Prasad Resident of Village- Bilarpur, Police Station- Fatehpur, District- Gaya, At Present Posted and working as a Headmaster in Govt. Middle School Kodma, Anchal- Fatehpur, District- Gaya.
44. Sunil Kumar Son of Baleshwar Prasad Resident of Village- Barhi Bigaha, Police Station- Wazirganj, District- Gaya, at Present Posted and working as an Assistant Teacher in Govt. Upgraded Middle School Tarwe(Taro), Anchal- Fatehpur, 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. null null
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. null null
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. 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.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 9472 of 2018

Ashok Prasad Son of Sri Tarini Pandit Resident of Mohalla - Indrapuri, Road No. 5B, House No. 53/54, Post Office - Keshri Nagar, Police Station - Patliputra, District - Patna, At present posted and working as an Assistant Teacher in Govt. Middle School Kokhana, Anchal - Patna Sadar, District - Patna.



... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The District Magistrate, Patna.
5. The District Education Officer, Patna.
6. The District Programme Officer (Establishment), Patna.
7. The Block Education Officer, Patna Sadar, District - Patna.
8. The Headmaster-cum-Drawing and Disbursing Officer, Govt. Middle School Kokhana, Anchal - Patna Sadar, District - Patna.
9. The District Treasury Officer, Patna.
10. The District Accounts Officer, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 8938 of 2018

Avinash Pandey, Son of Late Prabhakar Pandey, Resident of Village-Khampar, Post Office- Khampar, Police Station- Khampar, District- Deoria (U.P.). At present posted and working as an Assistant Teacher in Govt. Middle School Shahpur, Anchal- Nautan, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Bihar, Patna.
4. The District Magistrate, Siwan.
5. The District Education Officer, Siwan.
6. The District Programme Officer (Establishment), Siwan.
7. The Block Education Officer, Nautan, District- Siwan.
8. The Headmaster-cum- Drawing and Disbursing Officer, Govt. Middle School Shahpur, Anchal- Nautan, District- Siwan.
9. The District Treasury Officer, Siwan.
10. The District Accounts Officer, Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate
For the Respondent/s : Mr. Prabhat Ranjan Singh AC to AAG 15

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 16-05-2018

Heard learned counsel for the petitioners and the



State.

Mr. Umesh Kumar Mishra, learned counsel for the petitioners submits that the case of the petitioners is fully covered by the order dated 31.03.2011 in CWJC No. 6139 of 2017 and the order passed by the L.P.A. Bench in L.P.A. No. 756 of 2015 dated 16.08.2017.

In view of the above, the writ applications are disposed of with a direction to the concerned District Programme Officer (Establishment) 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)

spandey/-

U			
---	--	--	--

