

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10666 of 2016

- =====
1. Parmeshwar Mandal, Son of Late Mukundi Mandal, Resident of Village Post- Mirhatti, P.S.- Sultanganj, District- Bhagalpur.
 2. Binod Sah, Son of Late Puran Sah, Resident of Village and Post- Abjuganj, P.S- Sultanganj, District- Bhagalpur.
 3. Janardan Sah, Son of Bateshwar Sah, Resident of village & Post- Mirhatti, P.S.- Sultanganj, District- Bhagalpur.
 4. Meena Mehta, Wife of Sri Chakradhar Mehta, Resident of village- Kamalpur, Post- Modipur, P.S.- Sajour, District- Bhagalpur.
 5. Mahesh Bind, son of Narsingh Bind, Resident of village- Mirhatti, P.S- Sultanganj, District- Bhagalpur.
 6. Sanjiv Kumar, S/o Late Yadunandan Prasad R/o village and Post Abjuganj, P.S Sultanganj. Dist- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The Director, Mass Education, Government of Bihar, Patna.
5. District Magistrate, Bhagalpur,
6. District Mass Education Officer, Bhagalpur.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Dhirendra Nath Jha, Advocate
Mr. Chanra Shekhar Sharma, Advocate
For the Respondent/s : Mr. Anjani Kumar, AAG-4
Mr. Sanjay Prasad, AC to AAG-4

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 12-02-2018 Heard learned counsel for the petitioners, State and learned counsel appearing on behalf of the interveners.

The present writ application has been filed by the petitioners after service of two advance copies to the office of Advocate General on 04.07.2017, but no counter affidavit has been filed by the respondents.



In the present case, the petitioners have approached this Court for a direction to consider their cases for absorption on the post of Class-III and IV.

Counsel for the petitioners submits that the issue raised in the present writ application was examined by the Writ Court in C.W.J.C. No. 8418 of 2010 disposed of vide order dated 21.04.2011 and against the decision passed in C.W.J.C. No. 8418 of 2010, the State filed appeal, bearing L.P.A. No. 1489 of 2011 and the L.P.A. Court on consideration of various aspects of the matter dismissed the appeal vide order dated 11.08.2015, as contained in Annexures-3.

Counsel for the petitioners submits that the case of the petitioners is covered by the adjudication of this Court in Annexures- 2 and 3 and as such as per the Litigation Policy of the State Government, the respondents are required to extend similar benefit to these petitioners also.

Similar is the prayer made by the interveners in I.A. No. 8690 of 2016 claiming that the interveners are also identically circumstanced.

In view of the aforesaid, the writ application is disposed of with a direction to the respondents to examine the case of the petitioners in the light of the judgment of this Court as



contained in Annexures-2 and 3 and take final decision within a maximum period of 60 days from the date of receipt/production of a copy of this order.

It is needless to state here that in view of the Litigation Policy of the State Government, the respondents will extend similar treatment to the petitioners and interveners of this case, if the case of the petitioners and interveners are similar to the case of the petitioners of C.W.J.C. No. 8418 of 2010 and L.P.A. No. 1489 of 2011.

(Anil Kumar Upadhyay, J)

Uday/-

U			
---	--	--	--

