

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1130 of 2016

In
Letters Patent Appeal No.985 of 1996

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1. Praveen Priyadarshi, son of Late Palakdhari Prasad, Resident of Mohalla – Pir Baba Basera Road, Police Station – Nawada, District – Bhojpur (Ara)
 2. Harendra Kumar, Son of Late Baban Singh, Resident of Mohalla – Vishnu Nagar Anaith, Police Station-Nawada, District - Bhojpur (Ara)
 3. Mritunjay Kumar Ojha, son of Shri Basant Ojha, Resident of Village + P.O. - Gundi, Police Station - Krishna Bhad (Saraiyan) Barhara, District - Bhojpur (Ara)
 4. Deepak Kumar Ojha, Son of Shri Ramji Ojha, Resident of Mohalla – Ambe Nagar, P.O. - Chandwa, Police Station - Nawada, District - Bhojpur (Ara)
 5. Umesh Kumar Singh, son of Shri Rajeshwar Choudhary, Resident of Paschim Tola, M. P. Bag, Near Arya Samaj Mandir, District - Bhojpur (Ara)
 6. Md. Rasheed Ansari, Son of Late Md. Ishsrail Ansari, Resident of Village + P.O. - Mansagar, Via – Charpokhari, District - Bhojpur (Ara)
 7. Md. Jahangir Alam, Son of Late Md. Sadik Ansarai, Resident of Village -Dharmadas Dihri, P.O. - Duariyan, Police Station - Tarari, District - Bhojpur (Ara)
 8. Bhola Shankar Prasad, Son of Late Tej Narayan Prasad, Resident of Village – Ratanpur, Police Station - Ara Mufassil, District - Bhojpur (Ara)
 9. Ajeet Kumar Pandey, Son of Late Kamla Kant Pandey, Resident of Maula Bag, Opposite – Karbala, Near Vyas Press, District - Bhojpur (Ara)
 10. Kumar Santosh, Son of Late Sachchidanand Sahay, resident of Mohalla – Bandhan Tola, Police Station - Nawada, District - Bhojpur (Ara)
 11. Aftab Alam, Son of Hasin Ahmad, Resident of Mohalla – Near Bihar Tent House, Near Bihar Tent House Waliganj, District - Bhojpur (Ara)
 12. Md. Rafi, Son of Md. Sahebjan, Resident of Mohalla – Cheek Toli, P.S. - District - Bhojpur (Ara)
 13. Daya Shankar Prasad, Son of Siddheshwar Prasad, Resident of Friends Colony, Pakari, District - Bhojpur (Ara)
 14. Vinod Kumar Singh, Son of Late Ram Charitra Singh, Resident of Village – Pachaina, Post – Naya Mohammadpur, Police Station - Koilwar, District - Bhojpur (Ara)
 15. Ajay Kumar, Son of Late Jagdish Chandra Rai, Resident of Village + P.O. - Nonar, Police Station - Piro, District - Bhojpur (Ara)
 16. Manoj Kumar Kiran, Son of Shri Surya Nath Prasad, Resident of Vishnu Nagar (Bank Colony), Post – Anaith, Police Station - Nawada, District - Bhojpur (Ara)
 17. Akhileshwar Prasad Singh, Son of Ram Chandra Singh, Resident of Mohalla – Nala Road, Maula Bag, District - Bhojpur (Ara)
 18. Narendra Kumar, Son of Late Bhagwan Prasad, Resident of Mohalla - Machhua Toil, Ara Chowk, Badi Masjid, District - Bhojpur (Ara)
 19. Shri Bhagwan Pandey, Son of Kashi Nath Pandey, Resident of Village Gopalpur, P.O. - Kund, Police Station - Dinara, District – Rohtas
 20. Vishwajeet Prasad Verma, Son of Late Shankarji Sahay Verma, Resident of “Shankar Nilay”, Gautam Budha Nagar, Godhna Road, District - Bhojpur (Ara)
 21. Ram Narayan Shah, Son of Lae Lakhi Narayan Shah, resident of Mohalla - Waliganj, P.O. Ara, District - Bhojpur (Ara)



22. Vikas Ray, Son of Late Ram Tawkal Ray, Resident of Shobha Niwas, Behind Bajaj Show Room, Pakadi, District - Bhojpur (Ara)
23. Rajendra Prasad, Son of Late Bhuneshwar Prasad, Resident of Village Magharia, P.O. - Badgaon, Police Station - Ajimawad, District - Bhojpur (Ara)
24. Rizwan Akhter, Son of Late Md. Mustafa, Resident of Mohalla - Milki Anaith, Police Station - Nawada, District - Bhojpur (Ara)
25. Manish Kumar, Son of Shri Krishna Prasad, Resident of Mohalla - Nawada, Police Station- Nawada District - Bhojpur (Ara)
26. Md. Ali, Son of Saheb Raja, Resident of Village + P.O. - Benwalia, District - Bhojpur (Ara)
27. Aparna Basak, Daughter of Late Anil Basak, Resident of Bangali Babu Ka Hata, Meel Road, Police Station - Nawada, District Bhojpur (Ara)
28. Md. Sikandar, Son of Late Mu. Azmuddin, Resident of Village – Diliya, Police Station - Chouri, District - Bhojpur (Ara)
29. Julfekar Ali, Son of Late Md. Nasiruddin, Village – Milki Anaith, Police Station - Nawada, District - Bhojpur (Ara)
30. Devendra Kumar Pandey, Son of Late Janak Pandey, Resident of Village – Barad, Police Station - Char Pokhari, District Bhojpur (Ara)
31. Rajesh Kumar, Son of Shri Ram Pravesh Singh, Resident of Anaith, Police Station - Nawada, District Bhojpur (Ara)
32. Om Prakash Singh, Son of Shri Sohrai Singh, Resident of Village – Gabhar Tola, Police Station - Piro, District - Bhojpur (Ara)
33. Ravi Bhushan Singh, Son of Shri Kanhaiya Prasad Singh, Resident of Village – Budhaila, P.O. - Parmanpur, Police Station - - Nawa Nagar, District – Buxar
34. Om Prakash Chaudhary, Son of Prabhu Dayal Chaudhary, Resident of Village + P.O. - Anaith, Police Station - Nawada, District - Bhojpur (Ara)
35. Binod Kumar Chaudhary, Son of Shri Ramkeshwar Chaudhary, Resident of Village – Gopalpur, P.O. + P.S. - Nokha, District – Rohtas
36. Md. Iftekhar Ahmad, Son of Md. Shamsuddin, Resident of Mohalla - Paithan Toli, P.O. - Koilwar, District - Bhojpur (Ara)
37. Shashi Kant Upadhyay, Son of Shri Laxman Upadhyay, Resident of Mohalla - Anaith, Ward No. 43, Police Station - Nawada, District - Bhojpur (Ara)
38. Anwar Ahmad, Son of Md. Shahabuddin, Resident of Village + P.O. - Koilwar (Kazimulla) District - Bhojpur (Ara)
39. Alimuddin Ansari, Son of Maniruddin Ansari, Resident of Village + P.O. - Koilwar (Sonvila), District - Bhojpur (Ara)
40. Jawed Akhtar, Son of Md. Khalil, Resident of Village + P.O. - Koilwar (Sonvila), District - Bhojpur (Ara)
41. Dineshwar Singh, Son of Shri Shalik Singh, Resident of Village – Govind Tola, P.O. - Bamhwar, Police Station - Piro, District - Bhojpur (Ara)
42. Mohan Kumar, Son of Late Arjun Singh, Resident of Mohalla - Jawahar Tola, Police Station - Nawada, District - Bhojpur (Ara)
43. Nishat Anjum, Son of Abdul Hafeez, Resident of Village + P.O. - Akwari, Police Station - Sahar, District - Bhojpur (Ara)
44. Harendra Kumar Singh, Son of Late Ram Kukmar Singh, Resident of Village – Pararia, Police Station - Char Pokhari, District - Bhojpur (Ara)
45. Moshrraf Alim, Son of Md. Ishaque, Resident of Begumpur Ara, District - Bhojpur (Ara)



46. Nand Kishor Pandey, Son of Late Nagendra Pandey, Resident of Ayodhyapuri Pakari, P.O. - Head Post Office Ara, District - Bhojpur (Ara)
47. Shiv Gopal Thakur, Son of Ram Ekbal Thakur, Resident of Village + P.O. - Mangraw, Police Station - Nasariganj, District – Rohtas
48. Rabindra Kumar Singh, Son of Nanhku Chaudhary, Resident of Village – Jamsona, P.O. - Andhi, District – Rohtas
49. Chhedi Prasad, Son of Shri Chandra Deep Prasad, Resident of Village – Surari, P.O. - Masonal, District – Rohtas
50. Bashisth Kumar, Son of Late Jaj Prasad, Resident of Village – Ekarashi, Police Station - Bagen, District – Buxar
51. Girijesh Kumar, Son of Sri Awadh Kishore Singh, Village Kurmuri, Police Station - Sikrahata, District - Bhojpur (Ara)
52. Manoj Kumar, Son of Shri Idheshwar Nath Ray, Village – Jamuaon, Police Station - Piro, District - Bhojpur (Ara)
53. Ajay Kumar Singh, Son of Shri Rajendra Prasad Singh, Resident of Kashyap Nagar, New Police Line Ara, District - Bhojpur (Ara)
54. Shyam Kishore Prasad, Son of Gorakh Nath Sah, Resident of Village + P.O. - Chandwa, Police Station - Nawada, District - Bhojpur (Ara)
55. Arun Kumar, Son of Late Ram Naresh Singh, Resident of Village – Pipara, P.O. - Jagdishpur, District - Bhojpur (Ara)
56. Sudip Kumar Singh, Son of Late Awanish Naayan Singh, Resident of “Prabha Sadan”, East Gate of Jain College Ara, District - Bhojpur (Ara)
57. Nagendra Kumar, Son of Late Jai Ram Sharma, Resident of Village + P.O. - Puran, Police Station - Karpi, District – Arwal.
58. Suresh Nandan Prasad, Son of Late Surya Nandan Prasad, Resident of Maulabag Ara, district - Bhojpur (Ara)
59. Kumari Indrawati, Wife of Shri Chandra Shekhar Prasad, Resident of Anwarpulpar, Sarai Gate Ara, District - Bhojpur (Ara)
60. Anil Kumar Gupta, Son of Late Raghubar Prasad Gupta, Resident of Village + P.O. - Koilwar, District - Bhojpur (Ara)
61. Birendra Singh, Son of Late Deomuni Singh, Resident of Village – Majhiaon, Police Station - Piro, District - Bhojpur (Ara)
62. Mansoor Alam, Son of Abdul Gaffar Ansari, Resident of Village – Dihra, P.O. - Maniyach, District - Bhojpur (Ara)
63. Parmanand Ray, Son of Late Ramashray Ray, Resident of Village – Sawana, P.O. - Khuthan Anchal – Tarari, District - Bhojpur (Ara)
64. Dasrath Kumar Suman, Son of Late Shiv Prasad Sah, Resident of Village + P.O. Khajuriya, Anchal, - Ara Muffasil (South), District - Bhojpur (Ara)
65. Suresh Kumar Sharma, Son of Late Kashi Nath Sharma, Resident of Village – Tarari, Police Station - Tarari, District - Bhojpur (Ara)
66. Satyendra Kumar Singh, Son of Late Kamla Prasad Singh, Resident of Village – Dulhinganj, Police Station - Jagdishpur, District - Bhojpur (Ara)
67. Anant Kumar Shrivastava, Son of Late Bajrang Lal, Resident of Village – Mahudahi, Police Station - Barhara, District - Bhojpur (Ara)
68. Ashok Kumar Tiwary, Son of Late Banshidhar Tiwary, Resident of Village – Mangra Anchal – Karakat, District – Rohtas
69. Manoj Kumar Thakur, Son of Shri Rameshwar Thakur, Resident of Village – Moap Khurd, Police Station - Imadpur, District - Bhojpur (Ara)
70. Tripurari Kumar, Son of Late Brij Kishor Singh, Resident of Ram Motor Gali, Maharaja Hata, Ara, District - Bhojpur (Ara)
71. Kamshwar Prasad Gupta, Son of Late Munshi Sah, Resident of North from Son of B. College, Maulabag – Ara, District - Bhojpur (Ara)



72. Deeneshwar Prasad Singh, Son of Late Deolal Singh, Resident of Village – Bhadwar, Police Station - Chandi, District - Bhojpur (Ara)
73. Narayan Ram, Son of Late Sudama Ram, Resident of Village – Sakaddi, Police Station - Koilwar, District - Bhojpur (Ara)
74. Sanjay Kumar Pandey, Son of Late Kamta Pandey, Resident of Bank Colony, vishnu Nagar, Ara, District - Bhojpur (Ara)
75. Hareram Dubey, Son of Late Rama Kant Dubey, Resident of Village – Sarangpur, Police Station - Ara Mufassil, District - Bhojpur (Ara)
76. Hare Ram Ojha, Son of Bihariji Oha, resident of Mohalla - Afimi Kothi Majhaun, Post – Ara, District - Bhojpur (Ara)

... .. Petitioner/s

Versus

1. The State Of Bihar Through Mr. G.S. Gangwar The Principal Secretary Education Department Govt. Of Bihar, Patna
2. Mr. Ramchandra Tuddu, the Director, Primary Education, Education Department, Bihar, Patna
3. Dr. Birendra Prasad Yadav, the District Magistrate, Bhojpur, Ara
4. Smt. Usha Choudhary, the Regional Deputy Director of Education, Patna Division at Patna
5. Mr. Suresh Prasad, the District Education Officer, Bhojpur, Ara
6. Mr. Suresh Prasad, the District Programme Officer (Establishment), Bhojpur, Ara

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra
For the Respondent/s : Mr. Ga9 A.K. Sinha

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 14-09-2018 Learned counsel appearing on behalf of the petitioners has stated at the Bar that during the pendency of the present contempt proceeding, promotions have been granted to the petitioners from the prospective date. Therefore, he seeks permission to withdraw the present petition with liberty to challenge the decision of granting promotion prospectively,



before the appropriate Court.

Contempt petition stands disposed off with liberty that as and when such proceedings are initiated, the issue of granting promotion to the petitioners, prospectively, shall be considered in accordance with law and on its own merits, for which we are not expressing anything in favour of any of the parties.

(Mukesh R. Shah, CJ)

(Ashutosh Kumar, J)

(Mohit Kumar Shah, J)

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