

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.2307 of 2016

In

Civil Writ Jurisdiction Case No.22208 of 2013

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1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
 2. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
 3. The Principal Secretary, Finance Department, Government of Bihar, Patna.
 4. The Principal Secretary, Finance Department, Government of Bihar, Patna.
 5. The Principal Secretary, Education Department, Government of Bihar, Patna.
 6. The Principal Secretary, Department of Welfare, Government of Bihar, Patna.
 7. The Principal Secretary, Food & Civil Supplies Department, Government of Bihar, Patna.
 8. The Director, Directorate of Mass Education, Department of Secondary, Primary and Adult, Government of Bihar, Patna.
 9. Mr. Sashil Kumar, the Director, Administration, Education Department, Government of Bihar, Patna.

... .. Appellants

Versus

1. Baliram Singh Son of Late Sudama Singh Resident of Village - Paharpur Chhangur, P.O. Kuchaikote, P.S. - Kuchaikote, District - Gopalganj.
2. Ashok Kumar Sinha Son of Late Bhagwat Lal Resident of Village - Mahudar, P.O. - Rewali, P.S. - Katkam Sandi, District - Hazaribagh (Jharkhand).
3. Vinod Kumar Son of Lat P.C. Sharma Resident of 23/A Cooperative Colony, Near Anand Clinic, P.O. - Koyalanagar Township, P.S. - Barwada, District - Dhanbad (Jharkhand).
4. Anand Singh Choudhary Son of Late Balbhadra Singh Choudhary Resident of Village & P.O. - Kharni, P.S. - Barwada, District - Dhanbad (Jharkhand).
5. Satish Kumar Sinha son of Sri Tarkeshwar Prasad Sinha Resident of Village Lala Tola (Kolhar), P.S. Tundi, District Dhanbad (Jharkhand).
6. Narendra Deo son of Late Bijendra Deo resident of village & P.O.Hilsa (Near Dargah), P.S. Hilsa, District - Nalanda.
7. Gangadhar Mandal son of late Gaya Ram Mandal resident of village Asanbani, P.O. Bhita, P.S. Barwada, District - Dhanbad (Jharkhand).
8. Md. Moiz Ansari son of late Md. Karimul Hoda Ansari resident of village Mogalpura, P.O. & P.S. Mehshi, District - East Champaran.
9. Satyanarayan Paswan son of late Acheche Lal Paswan resident of village Baletha, P.O. Mahua Bazar, P.S. Basnai, District - Saharsa.
10. Usman Mian son of late Chirkut Mian resident of village - Sathi, P.O. & P.S. Sathi, District - West Champaran.
11. Umesh Baitha son of Bhanu Baitha resident of village & P.O. Nonaura, P.S. Ghorasahan, District East Champaran.
12. Radha Krishna Mishra son of late Lallan Mishra resident of village - Adhaila Mishra, P.O. Mahuwa Bajudih, P.S. Bijaipur, District Gopalganj.



13. Swarnlata Fransis daughter of late J.D. Fransis resident of H. No. 248, Ward No. 4, Samanto Kali Manda, Jhumari Tilaiya, P.S. Koderma, District - Koderma, Jharkhand.
14. Abdullah Kasmi son of late Jalil Ahmad resident of village & P.O. Sons, P.S. Chano, District - Ranchi, Jharkhand.
15. Rasik Murmu son of Late Munsu Murmu resident of village - Pataithan, P.O. Machkhiya, P.S. Dumka, District - Dumka, Jharkhand.
16. Prem Chand Choudhary son of late Rameshwar Choudhary resident of village Teja Tola (Bangali Para) P.O. & P.S. Katihar, District - Katihar.
17. Dinesh Chandra Manjhi son of late Harinath Manjhi resident of village & P.O. -Durgapur, P.S. Kasmar, District - Bokaro, Jharkhand.
18. Krishna Kumar Sharma son of late Niti Ram Sharma resident of village & P.O. - Sudna, Sarweshwari Colony, P.S. Garhwa, District - Palamu, Jharkhand.
19. Vimla Devi wife of Sri Ram Naresh Sharma resident of Magadh Colony, Road No. 7E, P.S. Magadh Medical College, Chandaui, District - Gaya.
20. Surya Prasad son of late Mangal Prasad resident of village & P.O. Mehta Tola, P.S. Harsidhi, District - East Champaran.
21. Lalji Ram son of Late Lakhichand Ram resident of village - Ajgari, P.S. Ajarwa, P.S. Pakridayal, District - East Champaran.
22. Dilip Kumar Maity son of late Jaldhar Maity resident of village - Kuldiha, P.S. Bahra Gora, District -East Singhbhum, Jharkhand.
23. Dashrath Singh Yadav son of Sri Lootan Singh Yadav resident of village & P.O. - Besra, P.S. - Balumath, District - Latehar, Jharkhand.
24. Jawahar Lal Mandal son of late Nand Lal Mandal resident of village & P.O. - Sidhap-Parsahi, P.S. Ladania, District - Madhubani.
25. Sidheshwar Mochi son of late Biltu Mochi resident of village - Choti Nawada, P.O. Katauna, P.S. Khusrupur, District - Patna.
26. Jagdish Paswan son of late Biltu Paswan resident of Mohalla - Laxmi Sagar, P.S. L.N. Mithila University, District - Darbhanga.
27. Mukhtar Ahmad son of Md. Safiuddin resident of village - Barhampura, P.O. Pohaddi Bela, P.S. Ghanshyampur, District - Darbhanga.
28. Manzoor Alam son of late Maswood Alam resident of Masjid Road, Belsand, P.O. & P.S. Belsand, District - Sitamarhi.
29. Hanuman Pandey son of late Dharnidhar Pandey resident of village & P.O. Barharwa, P.S. Barharwa, District Sahebganj, Jharkhand.
30. Dineshwar Pathak son of Setubandh Pathak resident of village - Bargo, P.O. Jodiya, P.S. Ramnagar, District - West Champaran.
31. Madhuri Kumari wife of Sri Shiv Kalyan Thakur resident of village & P.O. Raghauli, P.S. Visfi, District - Madhubani.
32. Pusp Lata Choudhary wife of late Sudhansu Shekhar Choudhary resident of Mohalla - Shahganj Baton, P.O. D.M.C.H., Laheriasari, P.S. - Laheriasarai, District - Saharsa.
33. Mira Sinha wife of Sri Jagmohan Prasad Singh resident of village & P.O. Dighi Kalan, P.S. Hajipur, District - Vaishali.
34. Naznin Rahma wife of Syed Mazhar Ekabl resident of Mohalla - Khangah Chowk, P.O. - Lalbag, P.S. Laheriasarai, District - Darbhanga.
35. Mala Jha wife of Eshwar Chand Choudhary resident of village - Pinda Ruch, P.O. Pinda Ruch, P.S. Kamtaul, District - Darbhanga.
36. Usha Prasad wife of Madan Kishore Prasad resident of village - Belwaganj, P.S. Laheriasarai, District - Darbhanga.



37. Satyanarayan Prasad Rai son of Late Khum Lal Rai resident of village
Dengadih, P.O. Ghoranji, P.S. Devri, District - Giridih, Jharkhand.
... .. Respondents

Appearance :

For the Appellants : Mr. Ashutosh Ranjan Pandey, AAG-15
For the Respondents : Mr. Raju Giri, Advocate
Mr. Santosh Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

8 15-01-2018 Heard counsel for the State, the appellants, as well as the
private respondents.

Since the learned single Judge allowed the writ application,
gave a direction for payment of salary for the period 01.10.2001
to 03.07.2007 in conformity with a similar decision passed in
the case of Smt. Ram Laxmi Mishra, which order in turn even
upheld by the Division Bench as well as by the Hon'ble Apex
Court. In the interest of maintaining consistency in identical
situation, the learned single Judge has committed no error in
allowing the writ application and granted direction for payment
for the period indicated above.

We do not find any infirmity in the order. The appeal is
dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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