

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6720 of 2016

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1. Manoj Kumar Jha Son of Late Yogendra Jha R/o At + P.O. Bhagwanpur Kamla, P.S. Ujiyarpur, District - Samastipur
2. Ishteyak Ahmad Son of Md. Suleman R/o village - Bishwambharpur Alloth, P.S. Musarigharari, District - Samastipur
3. Ahmadi Khotoon W/o Md. Alli Karim R/o Ghosh Lane, Ward No. 17, P.S. Samastipur, District - Samastipur
4. Chandan Kumar Son of Late Radheshyam Jha R/o Village - Musapur, P.S. Samastipur, District - Samastipur
5. Arun Kumar Son of Late Mahendra Das R/o At P.O. Latbasepura, P.S. Musarigharari, District - Samastipur
6. Vinod Kumar Son of Sri Sukan Paswan R/o Bahadurpur Ward No. 27, P.S. Samastipur, District - Samastipur
7. Amar Singh Son of Late Kripanath Singh R/o Bahadurpur Ward No. 27, P.S. Samastipur, District - Samastipur
8. Manmohan Chaudhary Son of Late Ramashish Chaudhary R/o village - Bhanpur, P.S. Khanpur, District - Samastipur
9. Vijay Kumar Prasad Son of Late Bindeshwari Prasad R/o Panjabi Colony, Gali No. 1, P.S. Samastipur, District - Samastipur
10. Raman Kumar Lal Karn Son of Late Prem Lal Karn R/o At + P.O. Simariya Bhindi, P.S. Kalyanpur, District - Samastipur

.... Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna
2. The Special Secretary, Government of Bihar, Patna
3. The Joint Secretary, Government of Bihar, Patna
4. The Director Primary Education Government of Bihar, Patna
5. The District Education officer, Samastipur, District - Samastipur
6. The District Programme officer (Establishment), Samastipur, District - Samastipur
7. The Block Education officer, Samastipur, District Samastipur
8. The Block Education officer, Warishnagar, District Samastipur
9. The Block Education officer, Khanpur, District - Samastipur
10. The Block Education officer, Sarairanj, District Samastipur

.... Respondents

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Appearance :

For the Petitioners : Mr. Mrityunjay Kumar, Adv.
For the Respondents : Mr. Ravindra Kumar, AC to AAG VI

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 07-02-2018

Heard the learned counsel for the petitioners and the
learned counsel appearing for the State.



The learned counsel for the petitioners referring to Annexure 10 submits that issue raised in the present writ application is no more resintegra in C.W.J.C. No. 2892 of 2013 and analogous cases decided on 13.05.2015, writ Court has already answered the issue and the decision of the writ Court was affirmed by the Division Bench on 17.01.2018 in Letters Patent Appeal No. 1870 of 2015 and analogous cases. The judgment of the Division Bench is binding on this Court and, as such, the present writ application is disposed of since the issue of compartmental examination was considered by the writ Court and affirmed by the Division Bench, there is no reason to make a departure.

The present writ application is also **disposed of** in the identical terms, which are as follows :

“The writ applications, therefore, are allowed in terms of the above reiterating the fact that such candidates, who sat in the examination in the 2004, failed in some papers and were allowed to sit as a compartmental examination, held in the year 2007, would be treated to have passed the examination in the first attempt itself and their entitlement of pay-scale will be from 01.10.2003 and not from the date



they sat for the examination held in the year 2007,
i.e., 31.07.2007.

All the writ applications are allowed in terms of the
above.”

(Anil Kumar Upadhyay, J)

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