

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9584 of 2017

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1. Md. Washi Ahmad, Son of Late Md. Usman, Resident of Village + P.O.+ P.S.-Gamhariya, District-Madhepura
 2. Shanti Kumari, Wife of Umesh Prasad Yadav, Resident of Village+P.O.-Rahta, P.S.-Kumar Khand, Distirict-Madhepura
 3. Krishna Kumari, Wife of Sant Kumar, Resident of Village-P.O.+ P.S.-Kumarkhand, District-Madhepura
 4. Surya Narayan Ram, Son of Late Sukhdeo Ram, Resident of Village-Jayapura, P.O.-Moura Ramnagar, P.S.-Shankarpur, District-Madhepura
 5. Chandrika Kumari, Wife of Arvind Kumar, Resident of Village-Jayapura, P.O.-Moura Ramnagar, P.S.-Shankarpur, District-Madhepura
 6. Shankar Das, Son of Phuleswar Das, Resident of Village-P.O.-Rajni (Milik), P.S.-Murliganj, District-Madhepura.
 7. Md. Shahbad, Son of Md. Ibrar, Resident of Village-P.O.-Rajni (Milik), P.s.-Murliganj, District-Madhepura
 8. Ravindra Kumar, Son of Kamleshwari Prasad Yadav, Resident of Village+ P.O.-Kolhay Patti, P.S.-Murliganj, District-Madhepura
 9. Ashok Kumar, Son of Samat Lal Yadav, Resident of Village+ P.O.-Kolhay Patti, P.S.-Murliganj, District-Madhepura
 10. Ramdeo Yadav, Son of Shital Prasad Yadav, Resident of Village +P.O.-Raghunathpur, P.s.-Murliganj, District-Madhepura
 11. Mina Kumari, Wife of Raghunath Kumar, Resident of Village+ P.O.-Kolhay Patti, P.S.-Murliganj, District-Madhepura
 12. Hansa Kumari, Wife of Rameshwar Yadav, Resident of Village-Tikuliya, P.O.-Bishanpur, P.S.-Murliganj, District-Madhepura
 13. Prabha Kumari, Wife of Kishor Kumar Singh, Resident of Village+P.S.-Puraini, P.S.-Kumarkhand, District-Madhepura
 14. Kumari Nilam, Wife of Sharda Nand Saksena, Resident of Village+P.O.-Rani Patti, P.S.-Kumarkhand, District-Madhepura
 15. Kavita Kumari, Daughter of Rajendra Prasad Yadav, Both Resident of Village-Parariya, P.O.-Godhela, District-Madhepura
 16. Babita Kumari, Daughter of Rajendra Prasad Yadav, Both Resident of Village-Parariya, P.O.-Godhela, District-Madhepura
 17. Anita Kumari, Wife of Mahendra Yadav, Resident of Garib Tola, P.O.-Bharrahi, District-Madhepura
 18. Ajit Kumar Risideo, Son of Bharat Risideo, Resident of Village-Sagha, P.O.-Babhani, P.S.-Gamhariya, District-Madhepura
 19. Swati Kumari, Wife of Mohan Kumar Singh, Resident of Village-Sagha, P.O.-Babhani, P.S.-Gamhariya, District-Madhepura
 20. Lalan Kumar, Son of Bhuneshwari Yadav, Resident of Village+P.O.-Sihpur, P.S.-Singheswar, District-Madhepura
 21. Dinesh Prasad Vidyaker, Son of Laxmi Prasad Yadav, Resident of Village + P.O.-Jharkaha,P.s.-Shankarpur, District-Madhepura
 22. Kumari Manju Bharti, Daughter of Basudeo Praasd Yadav, Resident of Village + P.O.-Jharkaha,P.s.-Shankarpur, District-Madhepura
 23. Sanjukta Bharti, Wife of Rijendra Yadav, Resident of Village-Guriya, P.O.-Kumarkhand, District-Madhepura
 24. Nageshwar sardar, Son of Fuleswar Sardar, Resident of Village-Gadhiya, P.S.-Kumarkhand, District-Madhepura



25. Upendra Sah, Son of Rameshwar Prasad sah, Resident of Village-Karuwaili, P.O.-Ydua Patti, P.S.-Kumarkhand, District-Madhepura
26. Narayan Rajak Son of Yugal Rajak, Resident of Village+P.O.-Baisadh, P.S.-Kumarkhand, District-Madhepura
27. Jay Prakash Thakur, Son of Satyadeo Thakur, Resident of Village-Bhawanipur, P.O.-Rahata, P.s.-Murliganj, District-Madhepura.
28. Sanju Kumari, Wife of Shambhu Kumar Yadav, Resident of Village-Kewatgama, P.O.-Laxmipur (Chandiasthan), P.s.-Kumarkhand, District-Madhepura
29. Anil Kumar, Son of Dukha Prasad Yadav, Resident of Village-Sakarpura, P.s. + District-Madhepura
30. Rama Kumari, Wife of Raj Kumar Singh, Resident of Village-Sakarpura, P.s. + District-Madhepura
31. Mamta Kumari, Daughter of Shyam Sunder Yadav, Resident of Village +P.O.-Sukhasan, P.s.-Kumarkhand, District-Madhepura
32. Ruby Kumari, Wife of Sajjan Kumar Ranjan, Resident of Village + P.O.-Jalsima Via Mangwar, P.S.-Sonwarsa Via Mangwar, District-Saharsa
33. Bijendra Kumar, Son of Basudeo Prasad Yadav, Resident of Village+P.O.-Khadipur, P.s.-Bihra, District-Saharsa

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Principal Secretary, Department, of Personnel and Administrative Reforms, Government of Bihar, Patna.
4. The Director, Mass Education, Government of Bihar, Patna
5. The District Education Officer, Madhepura
6. The District Education Officer, Saharsa

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Advocate

For the Respondent/s : Mr. Sunil Kumar, AC to G.A.-12

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 17-01-2018 Heard learned counsel for the petitioners and the counsel appearing on behalf of the State.

Learned counsel appearing on behalf of the petitioners placed reliance on the decision of this court contained in Annexure-2.

Learned counsel appearing on behalf of the State



submits that the matter was taken to the Supreme Court and the Hon'ble Supreme Court has already decided the case in SLP © No. 32079 of 2015. The learned counsel for the State further submits that in view of the decision of the Apex Court in SLP © No. 32079 of 2015 the case of the petitioners does not merit consideration.

Learned counsel for the petitioners submits that the order passed in SLP © No. 32079 of 2015 was subsequently reviewed.

Without going into the aforesaid controversy, the writ petition is disposed of with direction to the respondents to examine the claim of the petitioners in the light of the decision of the Apex Court within a period of three months from the date of receipt/production of a copy of this order.

It is made clear that this court has not expressed any opinion on the claim of the petitioners. It is up to the department to examine the claim of the petitioners in the light of the decision of the Hon'ble Apex Court.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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