

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19330 of 2017

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1. Kusheshwar Prasad Yadav, Son of Shri Ram Badan Yadav, Resident of Village- Bakhandda, O.P.- (Chhaurahi) Khodawandpur, District- Begusarai. At present posted and working as Graduate Trained Teacher in Govt. Upgraded Middle School Sawant Hindi, Block- Chhaurahi, District- Begusarai.
 2. Ram Chandra Ram, Son of Late Chhaitu Ram, Resident of Village- Bakari, Police Station- O.P. Chhaurahi, District- Begusarai. At present posted and working as Graduate Trained Teacher (Arts) in Govt. Upgraded Middle School Purpathar Balak, Block- Chhaurahi, District- Begusarai.
 3. Ashok Kumar Sah, Son of Shri Mahabir Sah, Resident of Village + Police Station- Cheriya Bariarpur, District- Begusarai. At present posted and working as Graduate Trained Teacher (Arts) in Govt. Upgraded Middle School Milki, Anchal- Chhaurahi, District- Begusarai.
 4. Rambabu Jha, Son of Naresh Jha, Resident of Village- Shasan, Police Station- Hasanpur, District- Samastipur. At present posted and working as Graduate Trained Teacher (Arts) in Govt. Upgraded Middle School Khaira, Anchal- Cheriya Bariarpur, District- Begusarai.
 5. Surendra Kumar, Son of Sukhdeo Choudhary, Resident of Village- Manjhaul Chatti Road Manjhaul Bazar, Police Station- Cheriya Bariarpur, District- Begusarai. At present posted and working as Graduate Trained Teacher in Govt. Urdu Upgraded Middle School Pawara, Anchal- Cheriya Bariarpur, , District- Begusarai.
 6. Dileep Kumar, Son of Sri Ananed Prasad Mahto, Resident of Village- Ankhu, Post Office- Bela Simri, Police Station- Bakhari, District- Begusarai. At present posted and working as Graduate Trained Teacher in Govt. Upgraded Middle School Shauchhe, Anchal- Bakhari, District- Begusarai.
 7. Baleshwar Ram, Son of Jhingur Ram, Resident of Village- Bujurgabad, Police Station- Garhpura, District- Begusarai. At present posted and working as Graduate Trained Teacher (Science) in Govt. Upgraded Middle School Madhua, Anchal- Bakhari, District- Begusarai.
 8. Manoj Kumar Singh, Son of Upendra Narayan Singh, Resident of Village- Mohanpur, Police Station- Bakhari, District- Begusarai. At present posted and working as Graduate Trained Teacher (Science) in Govt. Upgraded Middle School Durgasthan, Anchal- Bakhari, District- Begusarai.
 9. Kailash Pandit, Son of Bhola Pandit, Resident of Village- Sikandrapur, Post Office- Rajaura, Police Station- Muffasil, District- Begusarai. At present posted and working as Graduate Trained Teacher in Govt. Upgraded Middle School Pateliya Dera, Anchal- Cheriya Bariarpur, District- Begusarai.
 10. Krishana Kumar, Son of Late Dev Narayan Yadav, Resident of Village- Rajaura, Police Station- Muffasil Begusarai, District- Begusarai. At present posted and working as Graduate Trained Teacher in Govt. Upgraded Middle School Khamhar, District- Begusarai.
 11. Tuntun Rajak, Son of Sri Harischandra Rajak, Resident of Village- Fatehpur (Ward No.10), Police Station- Muffasil Begusarai, District- Begusarai. At present posted and working as Graduate Trained Teacher (Arts) in Govt. Upgraded Middle School Badha, Anchal- Begusarai, District- Begusarai.
 12. Kishore Kumar, Son of Late Babulal Poddar, Resident of Mohalla- Archana Vihar, Badha, Road No. 04, Post Office- Suhudnagar, Police Station- Muffasil Begusarai, District- Begusarai. At present posted and working as Graduate



Trained Teacher in Govt. Upgraded Middle School Suja, Anchal- Begusarai, District- Begusarai.

13. Sanjay Sahni, Son of Sri Sukhdeo Sahani, Resident of Village- Narayan Pipar (Pansalla), Police Station- Chhaurahi O.P., District- Begusarai. At present posted and working as Graduate Trained Teacher (Arts) in Govt. Upgraded Middle School Gachhitol Cheriya Bariarpur, Anchal- Cheriya Bariarpur, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Education Department, Government of Bihar, Patna.
4. The Joint Secretary, Education Department, Government of Bihar, Patna.
5. The District Magistrate, Begusarai.
6. The Regional Deputy Director of Education, Munger.
7. The District Education Officer, Begusarai.
8. The District Programme Officer (Establishment), Begusarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra
For the Respondent/s : Smt. Binita Singh, SC-28
Mr. Amritesh, AC to SC-28

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 19-01-2018

Heard learned counsel for the petitioners and the State.

Mr. Umesh Kumar Mishra, learned counsel appearing on behalf of the petitioners submits that the petitioners have approached the Director, Primary Education, Education Department, Bihar, Patna vide representation dated 06.12.2017 (Annexure-9) for similar benefit referring to the instance of other case in the light of Litigation Policy, 2011 professed by the State.

In view of the above, the writ application is disposed



of with a direction to the Director, Primary Education to examine the case of the petitioners and if the case of the petitioners is similar to the case where the benefit was extended to others, the respondents are required to extend the similar benefit in view of the Bihar State Litigation Policy, 2011 to the petitioners.

In case, no decision was taken as yet, the respondent Director, Primary Education must take a final decision within a period of 60 days 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 and it is the Director, Primary Education, who examine the record.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.01.2018
Transmission Date	23.01.2018

