

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3662 of 2018**

Niraj Kumari, Wife of Shri Munindra Singh, Resident of Village- Satpura, Post Office- Bara, Police Station- Arwal, District- Arwal. At present posted and Working as an Assistant Teacher in Sajjan Govt. Middle School Mithapur, Block- Patna (Sadar), District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
4. The Director, Primary Education, Government of Bihar, Patna.
5. The District Education Officer, Patna.
6. The District Programme Officer (Establishment) Patna.
7. The Block Education Officer, Patna (Sadar), Patna.
8. The District Accounts officer, Patna.
9. The District Treasury Officer, Patna.

... .. Respondent/s

with

**Civil Writ Jurisdiction Case No. 4502 of 2018**

1. Prashant Kumar Singh son of late Kaushal Kishore Singh, resident of village + P.O. Santhi, P.S. Raghunathpur, District- Siwan, at present posted and working as an Assistant Teacher in Govt. Middle School, Patar, Anchal Andar, District- Siwan
2. Avinash Ranjan, son of late Shyamdeo Ram, resident of village- Saraiya, P.O. + P.S. Husainganj, District- Siwan, at present posted as an Assistant Teacher, Government Upgraded School, Chhajawa Balia, Anchal – Andar, District- Siwan
3. Prashant Kumar, son of Sri Chandeshwar Singh, Resident of village- Sawan bigrah, P.O. + P.S. Maharajganj, District- siwan, at present posted and working as an Assistant Teacher in Government Middle School- Maharajganj, Anchal- Maharajganj, District Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Government of Bihar, Patna
3. The Principal Secretary, Finance Department, Government of Bihar, Patna
4. The Director, Primary Education, Bihar, Patna
5. The District Education Officer, Siwan,
6. The District Programme Officer (Establishment) Siwan,
7. The Block Education Officer, Andar, Dist. Siwan
8. The Block Education Officer, Maharajganj, Dist. Siwan
9. The District Accounts Officers, Siwan



10. The District Treasury Officer, Siwan.

... .. Respondent/s

with

**Civil Writ Jurisdiction Case No. 4452 of 2018**

Nagendra Sah, Son of Late Keshari Sah, Resident of Village- Chakari, Post Office- Nandpura Murari, Police Station- Andar, District- Siwan, at present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Sultanpur, Anchal- Andar, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Finance Department, Government of Bihar, Patna.
4. The Director, Primary Education, Bihar, Patna.
5. The District Education Officer, Siwan.
6. The District Programme Officer (Establishment) Siwan.
7. The Block Education Officer, Andar, District- Siwan.
8. The District Accounts Officer, Siwan.
9. The District Treasury Officer, Siwan.

... .. Respondent/s

with

**Civil Writ Jurisdiction Case No. 4164 of 2018**

1. Dharmendra Kumar, Son of Shri Rameshwar Rawat, At present residing at Mohalla- Rajendra Path Opposite Ayurvedic College, Kadamkuan, Patna- 3, at present posted and Working as an Assistant Teacher in Govt. o Middle School Parthu, Block- Punpun, District- Patna.
2. Arun Kumar Sinha, Son of Late Kulwant Sahay, resident of Mohalla- Kankarbagh, Post Office- Lohiya Nagar, Flat No. RF- 32, Police Station- Kankarbagh, District- Patna. At present Posted as working as an Assistant Teacher in Govt. Upgraded Middle School, Sawalpur, Block- Punpun, District- Patna.
3. Shiv Shankar Prasad Yadav, Son of Late Trivei Manjhi, Resident of Mohalla- Kankarbagh, Village- Mahipatinathpur, P.S.- Didarganj, District- Patna, At present posted and working as an Assistant Teacher in Govt. Primary School, Tulsichak, Block- Punpun, District- Patna.
4. Pankaj Kumar, Son of Late Vivekanand Prasad, resident of Mohalla- East Lane, Khazanchi Road, P.S.- Pirbahore, District- Patna, At present posted and working as an Assistant Teacher in Govt. Middle School, Manoharpur Kachhuara, Block- Sampatchak, District- Patna.
5. Rajesh Prasad Raut, Son of Mohan Lal Raut, Resident of Mohalla- Ramnagar, Devi Asthan, Chiraiyatand, Post office - G.P.O. P.S.- Jakkanpur, District- Patna, At present posted and



- working as an Assistant Teacher in Govt. Primary School, Chakia Behrawa, Block- Punpun, District- Patna.
6. Md. Ekram Ansari, Son of Md. Rafique Ansari, Resident of Mohalla- Badar Ghat, P.S.- Alamganj, District- Patna, At present posted and working as an Assistant Teacher in Govt. Primary School, Ballipur, Block- Punpun, District- Patna.
  7. Devvrat Chaudhary, Son of Late Ram Bachchan Chaudhary, Resident of village- Gonpura, P.S.- Phulwarisharif, District- Patna, At present posted and working as an Assistant Teacher in Govt. Middle School, Maranchi, Block- Punpun, District- Patna.
  8. Md. Moin Ansari, Son of Late Md. Rafique Ansari, Resident of Mohalla- Bhadragehat, P.O.- Gulzarbagh, P.S.- Alamganj, District- Patna, At present posted and working as an Assistant Teacher in Govt. Primary School, Sikandarpur, Block- Punpun, District- Patna.
  9. Suresh Kumar, Son of Late Basanat Singh, Resident of Mohalla- Budhanagar, Road No.-1, Postalpark, P.S.- Kankarbagh, District- Patna, At present posted and working as an Assistant Teacher in Govt. Primary School, Sikandarpur, Block- Punpun, District- Patna.
  10. Suresh Kumar, Son of Late Basanat Singh, Resident of Mohalla- Budhanagar, Road No.-1, Postalpark, P.S.- Kankarbagh, District- Patna, At present posted and working as an Assistant Teacher in Govt. Primary School, Fhahimpur Tola, Block- Punpun, District- Patna.
  11. Upendra Kumar Verma, Son of Baijnath Prasad, Resident of Village- Sonmai, P.S.- Dhanarua, District- Patna, At present posted and working as an Assistant Teacher in Govt. Primary School, Aawgila, Block- Punpun, District- Patna.
  12. Shambhu Choudhary, Late Vishwanath Chaudhary, Resident of Village- Jaitiya, P.S.- Gaurichak, District- Patna, At present posted and Working as an Assistant Teacher in Govt. Newly Created Primary School Gopalganj, Block Punpun, District- Patna.
  13. Awadhesh Bharati, Son of Shri Krishnanad Bharti, Resident of Mohalla- Chandmari Road, P.S.- Kankarbagh, District- Patna, At present posted as Working as an Assistant Teacher in Govt. Primary School Vaisha, Block- Punpun, District- Patna.
  14. Rajiv Kumar, Son of Late Baidyanath Jha, Resident of Mohalla- Ranighat, P.S.- Sultanganj, District- Patna, at present posted and Working as an Assistant Teacher in Govt. Middle School Kalyanpur, Block- Punpun, District- Patna.
  15. Shiv Kumar Rajak, Son of Late Tapeswar Baitha, Resident of Village- Gawaspur, P.S.- Haspura, District- Patna. At present posted and Working as an Assistant Teacher in Govt. Primary School Kalawanchak, Block- Punpun, District- Patna.
  16. Rajiv Kumar, Son of Ram Bilas Das, Resident of Village- Bahora Bigaha, Post Office- Newari, P.S.- Makhdumpur District- Jehanabad. At present posted and Working as an Assistant Teacher in Govt. Upgraded Middle School Mohinnudipur, Block- Punpun, District- Patna.



17. Surendra Prasad Singh, Son of late Lalan Prasad Singh, Resident of Mohalla- Jaiprakash Nagar, P.S.- Jakkanpur, District- Patna. At present posted and Working as an Assistant Teacher in Govt. Upgraded Middle School Lakhanpur, Punpun, Block- Punpun, District- Patna.
18. Hari Shlankar, Son of Late Jannardan Singh, Resident of Village- Khudraon, P.S.- Darihat, District- Rohtas, At present posted and working as an Assistant Teacher in Govt. Middle School Makhdumpur, Block Punpun, District - Patna.
19. Jitendra Kumar, Son of Late Baldeo Thakur, Resident of Village- Bara, P.S.- Bhagwanganj, District- Patna, At present posted and working as an Assistant Teacher in Govt. Middle School Alawalpur, Block Punpun, District - Patna.
20. Vijay Kumar, Son of Late Bhola Prasad Mandal, Resident of Village- Bhajnaha, Post Office- Basniya, P.S.- Laukaha, District- Madhubani, At present posted and working as an Assistant Teacher in Govt. Newly Created Primary School Awadhur, Block Punpun, District - Patna.
21. Sarjan Pandit, Son of Balram Pandit, Resident of Mohalla- Jaiprakashnagar, P.S.- Jakkanpur, District- Patna, At present posted and working as an Assistant Teacher in Govt. Primary School Kannuji, Block Sampatchak, District- Patna.
22. Shambhu Kumar, Son of Shri Jhaman Sinha, Resident of Mohalla- Hanumannagar, New Puanaichak, P.S.- Shastri Nagar, District- Patna, At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School Alawalpur, Block Punpun, District - Patna.
23. Ashok Kumar Singh, Son of Parameshwar Singh, Resident of 302, Block-C, Shardalok Apartment, Nehru Nagar, Gandhi Path, P.S.- Patliputra, District- Patna, at present posted and Working as an Assistant Teacher in Govt. Primary School Barahiyakol, Block-Punpun, District- Patna.
24. Pankaj Kumar, Son of Shri Janki Nandan Sinha, Resident of Mohalla- Hanuman Nagar, New Puanichak, Post Office- Shatri Nagar, P.S.- Shatri Nagar, District- Patna, at present posted and Working as an Assistant Teacher in Govt. Newly Created Primary School Manoharpur, Block-Punpun, District- Patna.
25. Rajkumar Chaudhary, Son of Shri Shivrinarayan Chaudhary, Resident of 181, Indira Nagar (Rajapur), P.S.- Patliputra Colony, District- Patna. At present posted and Working as an Assistant Teacher in Govt. Upgraded Middle School Alawalpur, Block-Punpun, District- Patna.
26. Raj Kumar Singh, Son of Shri Ram Janam Singh, Resident of village- Kurthaul, P.S.- Parsa Bazar, District- Patna, at present posted and Working as an Assistant Teacher in Govt. Newly Created Primary School Manoharpur, Block- Punpun, District- Patna.
27. Pramod Kumar Singh, Son of Late Sheoji Prasad Singh, Resident of Bagbeda Colony, Road NO.- 4, Block No.- 145/2/1, P.S.- Bagbeda, District- East Sihambhum (Jharkhand), At present posted and working as an Assistant Teacher in Govt. Primary School Dumri (Hindi), Block- Punpun, District- Patna.



28. Mahendra Rai, Son of hari Rambahadur Rai, Resident of Mohalla- Alawakaspur, Arfabad Park, Gulzarbagh, P.S.- Alamganj, District- Patna, at present posted and working as an Assistant Teacher in Govt. Middle School Potahi, Block- Punpun, District- Patna.
29. Sudama Kr. Prabhakar, Son of late Doman Ravidas, Resident of Village- Jaitiya, P.S.- Gaurichak, District- Patna, At present posted and working as an Assistant Teacher in Govt. Middle School Sonmai, Block- Dhanarua, District- Patna.
30. Prafful Ranjan, Son of Shri Lal Sahab Singh, Resident of Village- Tenua, Post Office- Bhagawanpur, P.S. Karamchat, District- Bhabhua (Kaimur), At present posted and working as an Assistant Teacher in Govt. Upgraded Middle School, Baruna, Block- Sampatchak, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
4. The Director, Primary Education, Government of Bihar, Patna.
5. The District Education officer, Patna.
6. The District Programme Officer (Establishment), Patna.
7. The Block Education officer, Punpun, Patna.
8. The Block Education officer, Sampatchak, Patna.
9. The Block Education officer, Dhanarua, Patna.
10. The District Accounts Officer, Patna.
11. The District Treasury Officer, Patna.

... .. Respondent/s

with

**Civil Writ Jurisdiction Case No. 4264 of 2018**

1. Alamgir Hussain, Son of Late Azizuddin, Resident of Village- Lakhnaura, Police Station- Basantpur, District- Siwan. At present posted and Working as an Assistant Teacher in Govt. Primary School (Maktab) Jalalpur, Anchal- Lakri Nabiganj, District- Siwan.
2. Harendra Kumar Singh, son of Late Byas Kumar Singh, Resident of Village- Bhikhabandh, Post Office-B. Satjaura, Police Station- Daraunda, District- Siwan. At present posted and Working as an Assistant Teacher in Govt. Middle School Sihauta Bangra, Anchal- Maharajganj, District- Siwan.
3. Md. Jahangir Alam, son of Late Abdul Qaiyum, Resident of Village- Lakhnaura, Police Station- Basantpur, Post Office- Kishunpura, District- Siwan. At present posted and Working as an Assistant Teacher in Govt. Upgraded Middle School Madarpur (Maktab), Anchal- Lakri Nabiganj, District- Siwan.
4. Iftekhar Ahmad, Son of Md. Shaheed, Resident of Village- Lakhnaura, Police Station- Basantpur, District- Siwan. At



- present posted and Working as an Assistant Teacher in Govt. Upgraded Middle School Madhopur, Lakri Nabiganj Anchal- Lakri Nabiganj, District- Siwan.
5. Kashif Israr, Son of Late Arshad Ali, Resident of Village- Mangru Chapra, Police Station- Baikunthpur, District- Gopalganj. At present posted and Working as an Assistant Teacher in Govt. Middle School Kishunpura, Anchal- Lakri Nabiganj, District- Siwan.
  6. Salauddin, Son of Late Saheb Hussain, Resident of Village- Usuri, Police Station- Basantpur, District- Siwan. At present posted and Working as an Assistant Teacher in Govt. Upgraded Middle School Sareyan (Urdu) Anchal- Bhagwanpur Hat, District- Siwan.
  7. Sanaullah, son of Late Mohammed Idris, Resident of Village + Post Office- Sharif Jalalpur, Police Station- Basantpur. At present posted and Working as an Assistant Teacher in Govt. Upgraded Middle School Lakri Maktab, Anchal- Lakri Nabiganj, District- Siwan.
  8. Abdul Jabbar, Son of Late Abdul Shahid, Resident of Village- Lakhanaura, Police Station- Basantpur, District- Siwan. At present posted and Working as an Assistant Teacher in Govt. Upgraded Middle School Madarpur Lakri Maktab, Anchal- Lakri Nabiganj, District- Siwan.
  9. Manindra Kumar Pandey, Son of Late Brajeshwari Kant Pandey, Resident of Village- Panditpur, Police Station- Janta Bazar, District- Siwan. At present posted and Working as an Assistant Teacher in Govt. Sarvodaya Middle School Ramgarha, Anchal- Daraunda, District- Siwan.
  10. Kamleswar Prasad, Son of Shri Om Prakash Prasad, Resident of village- Marasara, Police Station- Daraunda, District- Siwan. At present posted and Working as an Assistant Teacher in Govt. Upgraded Middle School Nanda Tola, Anchal- Daraunda, District- Siwan.
  11. Chandeshwar Prasad, Son of Sri Dinanath Prasad, Resident of Village- Jipura, Police Station- Mashrakh (Panapur), District- Saran. At present posted and Working as an Assistant Teacher in Govt. Upgraded Middle School Bangra, Anchal- Lakri Nabiganj, District- Siwan.
  12. Ravindra Kumar, Son of Late Parasnath Prasad. Resident of Village- Tewtha, Police Station- Maharajganj, District- Siwan. At present posted and Working as an Assistant Teacher in Govt. Upgraded Middle School Fatehpur, Anchal- Daraunda, District- Siwan.
  13. Amit Ranjan, Son of Late Kishori Lal, Resident of Mohalla- Mohan Bazar, Post Office + Police Station- Maharajganj, District- Siwan. At present posted and Working as an Assistant Teacher in Govt. Middle School Rukundipur, Anchal- Daraunda, District- Siwan.
  14. Haricharan Yadav, Son of Shri Bideshi Yadav, Resident of Village- Koirgawa, Post- Office- Chaiyapali, Police Station- Bhagwanpur Hat, District- Siwan, At present posted and



Working as an Assistant Teacher in Govt. Upgraded Middle School Karmopur, Block- Daraunda, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Finance Department, Government of Bihar, Patna.
4. The Director, Primary Education, Bihar, patna.
5. The District Education Officer, Siwan.
6. The District Programme Officer (Establishment), Siwan.
7. The Block Education Officer, Lakri Naviganj, District- Siwan.
8. The Block Education Officer, Maharajganj, District Siwan.
9. The Block Education Officer, Bhagwanpur Hat, District- Siwan.
10. The Block Education Officer, Daraunda, District- Siwan.
11. The District Accounts Officer, Siwan.
12. The District Treasury Officer, Siwan.

... .. Respondent/s

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with

**Civil Writ Jurisdiction Case No. 4130 of 2018**

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1. Prabhakar Dubey, son of Late Shiv Darsh Dubey, Resident of Village- Pandeypur, Post Office, Nimej, Police Station- Brahmpur, District- Buxar, at present posted and working as an Assistant Teacher in Govt. Middle School, Ahirauli, Block- Buxar, District- Buxar
2. Anil Kumar Singh, son of Shri Sachidanand Singh, Resident of Mohalla Civil Lines, Buxar, Ward No. 17, Police Station- Buxar District-Buxar at present posted and working as an Assistant Teacher in Govt. Middle School, Chilhari, Block- Dumrao, District- Buxar
3. Manish Kumar Singh, son of Late Ramnath Lal, Resident of Mohalla Nehru Nagar, Ward No. 20, Buxar Police Station- Buxar District- Buxar at present posted and working as an Assistant Teacher in Govt. Middle School, Chilhari, Block- Dumrao, District- Buxar
4. Harendra Prasad Singh, son of Ram Yash Singh, Resident of Mohalla Sainik Colony near I.T.I. Ground, Buxar, District-Buxar at present posted and working as an Assistant Teacher in Govt. Middle School, Pulia, Block- Buxar, District- Buxar
5. Binod Kumar Rai, son of late Raghupati Rai, Resident of Mohalla Civil Lines, Buxar, Police Station- Buxar (town) District-Buxar at present posted and working as an Assistant Teacher in Govt. Upgraded Middle School, Saraura, Dumrao, Block- Dumrao, District- Buxar
6. Anjum Ara, wife of Md. Halim, Resident of Mohalla Ambedkar Nagar, Sohanipatti, Ward No. 31, Police Station- Buxar (town) District-Buxar at present posted and working as an Assistant Teacher in Govt. Middle School, Gauri Shankar, Block- Buxar, District- Buxar
7. Sanjay Kumar Prasad, son of Shri Chhathu Prasad, Resident of Mohalla Rehiya, Police Station- Krishnabrahma, District-Buxar at present posted and working as an Assistant Teacher in Govt. Middle School, Atao, Block- Dumrao, District- Buxar



8. Rameshwar Prasad Keshari, son of Shri Satyanarayan Prasad Keshari, , Resident of village- Chaugai, Police Station- Murar, Buxar, District-Buxar at present posted and working as an Assistant Teacher in Govt. Middle School, Murar, Block- Chaugai, District- Buxar
9. Raj Kishore Prasad Keshari, son of Late Ram Narayan Prasad, Resident of Mohalla Barki Kulhariya, Police Station- Buxar District-Buxar at present posted and working as an Assistant Teacher in Govt. Middle School, Chilhari, Block- Dumrao, District- Buxar
10. Jitendra Prasad Verma, son of Rajendra Prasad Verma , Resident of Mohalla Hanuman Fatak Buxar, Police Station- Buxar District-Buxar at present posted and working as an Assistant Teacher in Govt. Middle School, Purana Bhojpur Mathia, Block- Dumrao, District- Buxar
11. Narendra Upadhyay, son of Dwarika Nath Upadhyay, Resident of Mohalla Civil Lines, Buxar, Ward No. 18, Police Station- Buxar District-Buxar at present posted and working as an Assistant Teacher in Govt. Middle School, Chilhari, Block- Buxar, District- Buxar
12. Dinesh Kumar Ram, son of Shri Shivrath Ram , Resident of village Narbatpur, Police Station- Buxar (Mufassil) District-Buxar at present posted and working as an Assistant Teacher in Govt. Middle School, Sagra, Block- Chausa, District- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Finance Department, Government of Bihar, Patna.
4. The Director, Primary Education, Government of Bihar, Patna.
5. The Regional Deputy Director of Education, Patna Division, Patna
6. The District Education Officer, Buxar
7. The District Programme Officer (Establishment), Buxar
8. The Block Education Officer, Buxar
9. The Block Education Officer, Dumrao, District-Buxar
10. The Block Education Officer, Chaugai, District- Buxar
11. The Block Education Officer, Chousa, District- Buxar
12. The District Accounts Officer, Bhojpur/Buxar (Ara)

... .. Respondent/s

**Appearance :**

(In Civil Writ Jurisdiction Case No. 3662 of 2018)

|                      |   |                                  |
|----------------------|---|----------------------------------|
| For the Petitioner/s | : | Mr. Umesh Kumar Mishra, Advocate |
| For the Respondent/s | : | Mr. Prabhakar Jha- GP27          |
|                      |   | Mr. Madanjeet Kumar -GP20        |
|                      |   | Mr. J.K. ROY NO.1- SC13          |
|                      |   | Mr. A. R.PANDEY AAG 15           |
|                      |   | Mr. S.C.MISHRA -SC16             |

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL JUDGMENT**

**Date : 16-03-2018**



Heard learned counsel for the petitioners and the State.

2. Mr. Umesh Kumar Mishra, learned counsel for the petitioners submits that the case of the petitioners is fully covered by Annexures 5,10, and 11, the orders dated 31.03.2011, 16.8.2017 and 1.11.2017 passed in CWJC No. 6139/2007, LPA No. 756/2015 and CWJC No. 14670/ 2014 respectively.

3. In view of the above, the writ petitions are disposed of with a direction to the respondent- District Programme Officers (Establishment) of the concerned Districts to examine the case of the petitioners in the light of the decision of this Court as indicated hereinabove within a maximum period of 60 days from the date of receipt/production of a copy of this order and extend the same benefit to the petitioners, if it is found covered by the decision in LPA in view of the litigation policy of the State Government.

**(Anil Kumar Upadhyay, J)**

spandey/-

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|-------------------|------------|
| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
| Uploading Date    | 27.03.2018 |
| Transmission Date |            |

