

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1005 of 2018

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1. Anil Kumar Singh, Son of Ram Naresh Singh, Resident of Village + Police Station - Sara Tarari, District - Bhojpur, At present posted and working as Prakhand Teacher in Govt. Middle School Karwasin, Block - Agiaon, District - Bhojpur.
 2. Md. Zauir Rahman, Son of Maksud Alam, Resident of Village + Police Station - Sikashata Khurd, District - Bhojpur, At present posted and working as Prakhand Teacher in Govt. Upgraded Middle School Baruna, Block - Agiaon, District - Bhojpur.
 3. Nagmani Kumar, Son of Rajendra Prasad, Resident of Village + Police Station - Koilwar, District - Bhojpur, At present posted and working as Prakhand Teacher in Govt. Middle School Kamaria, Block - Agiaon, District - Bhojpur.
 4. Ram Hari Singh, Son of Ram Sakal Singh, Resident of Village - Bajeria, Police Station - Sahar, District - Bhojpur, at present posted and working as Prakhand Teacher Govt. Upgraded Middle School Nonour, Block - Agiaon, District - Bhojpur.
 5. Shri Ram Singh, Son of Suretha Singh, Resident of Village - Sundarpur, Police Station - Sandesh, District - Bhojpur, At present posted and working as Prakhand Teacher in Govt. Middle School Pawar, Block - Agiaon, District - Bhojpur.
 6. Shivji Singh, Son of Bhutan Singh, Resident of Village - Bhagwanpur, Police Station - Pawna, District - Bhojpur, At present posted and working as Prakhand Teacher in Govt. Upgraded Middle School Bhagwanpur, Block - Agiaon, District - Bhojpur.
 7. Sushma Kumari, Daughter of Uma Shankar Singh, Resident of Village - Kharaira, Police Station - Agaion, District - Bhojpur, At present posted and working as Prakhand Teacher in Govt. Upgraded Middle School Bhagwanpur, Block - Agioan, District - Bhojpur.
 8. Kiran Yadav, Daughter of Jamindar Singh, Resident of Village - Godripara, Police Station - Chirmiri, District - Koriya, Chhatisgarh, At present posted and working as Prakhand Teacher in Govt. Middle School Kamaria, Block - Agioan, District - Bhojpur.
 9. Chandra Jyoti Kumari, Daughter of Late Ram Nandan Paswan, Resident of Village - Taregan Dih, Police Station - Masaurhi, District - Patna, at present posted and working as Prakhand Teacher in Govt. Upgraded Middle School Baruna, Block - Agiaon, District - Bhojpur.
 10. Md. Tanveer Alam, Son of Abdul Kayum, Resident of Village - Aabgila, Police Station - Sahar, District - Bhojpur, at present posted and working as Prakhand Teacher in Govt. Middle School Karwasin, Block - Agiaon, District - Bhojpur.
 11. Chum Chum Kumari Singh, Wife of Pankaj Kumar, Resident of Village + Police Station - Ramkrishna Nagar, District - Patna, at present posted and working as Prakhand Teacher in Govt. Upgraded Middle School Bhagwanpur, Block - Agiaon, District - Bhojpur.
 12. Sunil Kumar, Son of Siyaram Yadav, Resident of Village - Raunia, Police Station - Naubatpur, District - Patna, at present posted and working as Prakhand Teacher in Govt. Middle School Banauli, Block - Agioan, District - Bhojpur.
 13. Kumar Mahendra, Son of Sri Hari Nandan Singh, Resident of Village -



- Jogta, Police Station - Chandi, District - Bhojpur, At present posted and working as Prakhand Teacher in Govt. Middle School Banauli, Block - Agiaon, District - Bhojpur.
14. Dhananjay Kumar, Son of Late Phagu Choudhary, Resident of Village - Khaira, Police Station - Sahar, District - Bhojpur, At present posted and working as Prakhand Teacher in Govt. Middle School Chilhar, Block - Agiaon, District - Bhojpur.
 15. Md. Shabehzam, Son of Ash Mohammad, Resident of Village - Begar, Police Station - Sikarhatta, District - Bhojpur, at present posted and working as Prakhand Teacher in Govt. Middle School Kamaria, Block - Agiaon, District - Bhojpur.
 16. Sunil Kumar Rai @ Sunil Kumar Yadav, Son of Sri Hari Nath Yadav, Resident of Village - Chandwa, District - Bhojpur, at present posted and working as Prakhand Teacher Govt. Upgraded Middle School Nonour, Block - Agiaon, District - Bhojpur.
 17. Umesh Kumar, Son of Sri Radhey Shyam Singh, Resident of Village - Jogta, Police Station - Chandi, District - Bhojpur, At present posted and working as Prakhand Teacher in Govt. Middle School Chilhar, Block - Agiaon, District - Bhojpur.
 18. Arvind Kumar Chaudhary, Son of Nirmal Kumar Choudhary, Resident of Village - Bishanpur, Police Station - Chandi, District - Bhojpur, At present posted and working as Prakhand Teacher Govt. Upgraded Middle School Nonour, Block - Agiaon, District - Bhojpur.
 19. Manorma Kumari, Wife of Sri Pramod Kumar, Resident of Village - Anail, Police Station - Nawada, District - Bhojpur, at present posted and working as Prakhand Teacher in Govt. Middle School Banauli, Block - Agiaon, District - Bhojpur.
 20. Reema Kumari, Daughter of Ram Brat Singh, Resident of Village - Katira Ara, Police Station - Nawada, District - Bhojpur, at present posted and working as Prakhand Teacher in Govt. Upgraded Middle School Bhagwanpur, Block - Agiaon, District - Bhojpur.
 21. Saroj Kumari, Daughter of Rambrat Singh, Resident of Village - Taregana, Police Station - Mashouri, District - Patna. At present posted and working as Prakhand Teacher in Govt. Upgraded Middle School Bhagwanpur, Block - Agiaon, District - Bhojpur.
 22. Shailendra Kumar, Son of Late Birendra Prasad, Resident of Village - Nizampur, Police Station - Naubatpur, District - Patna, at present posted and working as Prakhand Teacher in Govt. Middle School Kamaria, Block - Agiaon, District - Bhojpur.
 23. Alok Kumar, Son of Sri Ramayan Roy, Resident of Village - Ishapur, Police Station - Phulwarisharif, District - Patna, at present posted and working as Prakhand Teacher Govt. Upgraded Middle School Nonour, Block - Agiaon, District - Bhojpur.
 24. Manju Kumari, Wife of Sri Patambar Roy, Resident of Village - Ishapur, Police Station - Phulwarisharif, District - Patna, at present posted and working as Prakhand Teacher in Govt. Middle School Dhakni, Block - Agiaon, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Education Department, Bihar, Patna.



4. The District Magistrate, Bhojpur.
5. The District Programme Officer (Establishment), Education, Bhojpur.
6. The Prakhanda Pramukh-cum-Chairman of Block Teachers Selection Committee, Agiaon, District - Bhojpur.
7. The Block Development Officer-cum-Member Secretary, Block Teachers Selection Committee, Agiaon, District - Bhojpur.
8. The Block Education Officer, Agiaon, Block - Agiaon, District - Bhojpur.
9. The Headmaster, Govt. Middle School Karwasin, Block - Agiaon, District - Bhojpur.
10. The Headmaster, Govt. Upgraded Middle School Baruna, Block - Agiaon, District - Bhojpur.
11. The Headmaster, Govt. Middle School Kamaria, Block - Agiaon, District - Bhojpur.
12. The Headmaster, Govt. Upgraded Middle School Nonour, Block - Agiaon, District - Bhojpur.
13. The Headmaster, Govt. Middle School Pawar, Block - Agiaon, District - Bhojpur.
14. The Headmaster, Govt. Upgraded Middle School, Bhagwanpur, Block - Agiaon, District - Bhojpur.
15. The Headmaster, Govt. Middle School Banauli, Block - Agiaon, District - Bhojpur.
16. The Headmaster, Govt. Middle School Chilhar, Block - Agiaon, District - Bhojpur.
17. The Headmaster, Govt. Middle School Dhakni, Block - Agiaon, District - Bhojpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate
For the Respondent/s : Smt. Shilpa Singh, GA-12
Mrs. AC to GA-12

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

2 24-01-2018 Heard learned counsel for the petitioners and the respondents.

Mr. Umesh Kumar Mishra, learned counsel appearing on behalf of the petitioners referring to Annexures-11 and 12 submits that the case of the petitioners is squarely covered by the decision contained in Annexures- 11 and 12.



In view of the above submission of the counsel for the petitioners, the writ application is disposed of with a direction to the District Programme Officer (Establishment), Bhojpur (respondent no.5) to examine the case of the petitioners in the light of Annexures- 11 and 12 and pass a reasoned and speaking order within a period of three months from the date of receipt/production of a copy of this order. In case, the District Programme Officer (Establishment), Bhojpur finds the case of the petitioners squarely covered by the decision contained in Annexures- 11 and 12, same treatment should be extended to the petitioners. In the event, if he finds that the case of the petitioners is distinguishable on fact or law, he may pass a reasoned and speaking order within the same period indicating the distinguishable features.

With the aforesaid, the writ application stands disposed of.

It is needless to state that the respondents are required to consider the claim of the petitioners objectively and on consideration of all the materials which the petitioners propose to produce along with the copy of the representation.

(Anil Kumar Upadhyay, J)

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