

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1810 of 2019

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1. Baldeo Ram, Son of Baskit Ram, Resident of Village- Rupauli, P.O.- Sauli, P.S. Tariyani, District- Sitamarhi.
 2. Tarkeshwar Kumar Singh, Son of Ram Nandan Singh, Resident of Village- Haribela, P.O.- Haribela, P.S.- Bathnaha, District- Sitamarhi.
 3. Amarnath Kumar, Son of Satydeo Prasad, Resident of Village and P.O.- Dumrwana, P.S.- Bargania, District- Sitamarhi.
 4. Sanjay Kumar, Son of Shambhu Nath Prasad, Resident of Mohalla and P.S.- Court Bazar, Sitamarhi, District- Sitamarhi.
 5. Raju Kumar, Son of Mahendra Baitha, Resident of Village- Premnagar, P.O.- Premnagar, P.S. Runnisaidpur, District- Sitamarhi.
 6. Shailendra Kumar Singh, Son of Fulgen Narayan Singh, Resident of Village- Gadha, P.O.- Gadha, P.S. Runnisaidpur, District- Sitamarhi.
 7. Uma Shankar Singh, Son of Shiv Narayan Singh, Resident of Village- Harichapra, P.O.- Lagma, P.S. Dumara, District- Sitamarhi.
 8. Usha Kumari, Daughter of Sharwnarayan Jha, Resident of Village- Kodarkat, P.O.- Singrahiya, P.S.- Bathnaha, District- Sitamarhi.
 9. Murli Prasad Shahu, Son of Rajendra Prasad Gupta, Resident of Village- Madhopur Sultanpur, P.S. Runnisaidpur, District- Sitamarhi.
 10. Anadi Vatsal, Son of Nand Kishore Jha, Resident of Village- Parsauni, P.S.- Dumra, District- Sitamarhi.
 11. Rubi Kumari, Daughter of Mohan Jha, Resident of Village- Parsauni, P.S.- Dumra, District- Sitamarhi.
 12. Kishori Lal Sah, Son of Yogendra Sah, Resident of Village- Shivrinar Riga, P.S. Riga, District- Sitamarhi.
 13. Surya Bhushan Prasad, Son of Ram Sewak Mahto, Resident of Village- Shivrinar, P.S. Riga, District- Sitamarhi.
 14. Subodh Ram, Son of Ram Prasad Ram, Resident of Village- Shivrinar, P.S. Riga, District- Sitamarhi.
 15. Amod Kumar, Son of Gopinath Ray, Resident of Village- Punaura, P.S. Sitamarhi, District- Sitamarhi.
 16. Indrajit Kumar, Son of Rambaran Ray, Resident of Village- Bulakipur, P.O.- Pokharbhinda, P.S. Riga, District- Sitamarhi.



17. Mithila Bihari Gupta, Son of Tapeswar Sah, Resident of Mohalla- Gankistan Nunia Tola, Ward No. 02, P.S. Sitamarhi, District- Sitamarhi.
18. Braj Kishor Choudhary, Son of Ramashish Chaudhary, Resident of Village and P.O.- Rupoli, P.S. Tariyani, District- Sitamarhi.
19. Sunil Kumar, Son of Ram Swarth Singh, Resident of Village- Ranjitpur, P.S. Sitamarhi, District- Sitamarhi.
20. Purushottam Kumar, Son of Murli Prasad Gupta, Resident of Village- Madhopur Sultanpur, P.S. Runnisaidpur, District- Sitamarhi.
21. Girija Nath Jha, Son of Indra Kanth Jha, Resident of Village- Chhaurahiya, P.O. Chhaurahiya, P.S. Sahiyara, District- Sitamarhi.
22. Sanjeev Kumar, Son of Bhagnarayan Ray, Resident of Village- Lohasi, P.O.- Partapur, P.S. Belsand, District- Sitamarhi.
23. Sunil Kumar Son of Bhubhneswar Raut Resident of Village and P.O. and P.S.- Piprahi, District- Sheohar.
24. Bajrangi Kumar, Son of Bhubhneswar Raut, Resident of Village and P.O. and P.S.- Piprahi, District- Sheohar.
25. Binod Kumar, Son of Paldhair Das, Resident of Village- Lohasi, P.O. Partapur, P.S. Belsand, District- Sitamarhi.
26. Shambhu Singh, Son of Baldev Singh, Resident of Village- Godhiya, P.O. Harpurbalha, P.S. Bathnaha, District- Sitamarhi.
27. Santosh Kumar Das, Son of Indrajeet Das, Resident of Village- Lohasi, P.O.- Partapur, P.S. Belsand, District- Sitamarhi.
28. Kishore Kumar, Son of Chalitar Ram, Resident of Village and P.O.- Dheng, P.S. Mejarganj, District- Sitamarhi.
29. Shila Kumari, Daughter of Deveswar Singh, Resident of Village- Majhauriya, P.O.- Majhauriya, P.S. Bathnaha, District- Sitamarhi.
30. Pawan Kumar Jha, Son of Ram Bharosh Jha, Resident of Village- Kodarkat, P.O.- Singrahiya, P.S. Bathnaha, District- Sitamarhi.
31. Gita Kumari, Wife of Anil Kumar, Resident of Village- Balua, P.O.- Lagma, P.S. Dumra, District- Sitamarhi.
32. Rupam Kumari, Wife of Ravishankar Prasad Singh, Resident of Village and P.O.- Manpur Ratnawali, P.S. Runnisaidpur, District- Sitamarhi.
33. Dilip Kumar, Son of Kamal Kumar, Resident of Village and P.O.- Dumra, P.S. Dumra, District- Sitamarhi.



34. Rajeev Kumar Karn, Son of Badri Naryan Karn, Resident of Mohalla- Mahabir Chowk, Ward No. 7, P.O. and P.S.- Dumra, District- Sitamarhi.
35. Naresh Kumar, Son of Rameshwar Mahto, Resident of Village- Sirsiya, P.S. Belsand, District- Sitamarhi.
36. Bhagya Narayan Baitha, Son of Maharaj Baitha, Resident of Village- Ratanpur, P.O. Barharwa, P.S. Majarganj, District- Sitamarhi.
37. Ram Uday Biatha, Son of Kailash Biatha, Resident of Village- Ratanpur, P.O.- Barharwa, P.S. Majarganj, District- Sitamarhi.
38. Achhelal Kumar Paswan, Son of Jagdishlal Paswan, Resident of Village and P.O.- Boktha, P.S. Majarganj, District- Sitamarhi.
39. Sharvan Kumar, Son of Haruni Ram, Resident of Village- Barahi Chintaman, P.O.- Bokthaa, P.S. Majarganj, District- Sitamarhi.
40. Surendra Ram, Son of Sukhdeo Ram, Resident of Village and P.O.- Dheng, P.S.- Majarganj, District- Sitamarhi.
41. Ranjan Kumar, Son of Shiv Shankar Prasad Sinha, Resident of Mohalla- Ward No. 13, Court Bazar, P.S. Sitamarhi, District- Sitamarhi.
42. Ram Kishore Singh, Son of Yugal Bhagat, Resident of Village- Ajakwe Dilawarpur, Partapur, Ward No. 03, P.S. Belsand, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna, District- Patna.
3. The Director, Primary Education, Government of Bihar, Patna, District- Patna.
4. The Director, Research and Training Council (Education), Bihar, Patna.
5. The State Project Director, Bihar Education Council, Shiksha Bhawan, Rastrabhasha Parishad Campus, Saidpur, Rajendra Nagar, Patna.
6. The District Education Officer, Sitamarhi, District- Sitamarhi.
7. The District Programme Officer, Primary Education and Sarv Shiksha Abhiyan, Sitamarhi, District- Sitamarhi.

... .. Respondent/s



Appearance :

For the Petitioner/s : Mr. Arinjay Kumar, Adv.
For the State : Mr. Ashutosh Ranjan Pandey (AAG15)
For the Respondent No.5: Mr. Girijesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 01-02-2019

The petitioners, who are working as contractual employees on the post of Facilitators/Utpreraks, have challenged the decision of the Government in taking the work of Block Resource Person Coordinators and Cluster Resource Centre Coordinators, from the Teachers, which erstwhile was being dispensed with by such Facilitators/Utpreraks .

2. The learned counsel for the petitioners has submitted that the aforesaid additional work to the Teachers is being taken under the guidelines issued in that regard in the year 2017, which has the potential of causing disturbance in the effective implementation of the Directive Principle of the State Policy for providing children with free and compulsory education.

3. The rules in question have been tested by a



Bench of this Court in batch of writ petitions, the lead case being C.W.J.C. No. 497 of 2018, wherein the legality of the rules have been upheld and sustained. The challenge to the aforesaid order passed by the learned single Judge has been upheld and affirmed by a Division Bench of this Court in L.P.A. No. 772 of 2018 and other analogous cases.

4. Thus, there is no merit in this petition and the same is, accordingly, dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	02.02.2019
Transmission Date	N/A

