

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17588 of 2018

1. Param Hans Mishra and Ors Son of Late Raghunath Mishra, Resident of Village-Pipara, Post Office-Dighwalia, Police Station-Raghunathpur, District-Siwan. At Present Posted and Working as a Teacher in Government Up-graded Middle School, Harihar Chapra, Block-Siswan, District-Siwan.
2. Anil KUMar Mishra, Son of Late Prem Shankar Mishra, Resident of Village-Rajpur, Post Office-Rajpur, Police Station-Raghunathpur, District-Siwan, At Present Posted and Working as a Teacher in Government Middle School, Harpur, Block-Raghunathpur, Distirct-Siwan.
3. Lal Babu Prasad, Son of Sri Raj Kishor Prasad, Resident of Village-Dighwalia, Post Office-Dighwalia, Police Station-Raghunathpur, District-Siwan, At Present Posted and Working as a Teacher in Government Up-graded Middle School, Dera Ray ke Bangara, Block-Siswan, District-Siwan.
4. Ashok KUMar Upadhyay, Son of late Lallanji Upadhyay, Resident of Village-Kachnar, Post Office-Kachnar, Police Station-Siswan, District-Siwan, At Present Posted and Working as a Teacher in Government Middle School, Kachnar, Block-Siswan, District-Siwan.
5. Nandji Harijan, Son of Late Joghnan Harijan, Resident of Village-Bhagar, Post Office-Bhagar, Police Station-Siswan, District-Siwan. At Present Posted and Working as a Teacher in Government Middle School, Nanaya Patti, Block-Siswan, District-Siwan,
6. Rajesh KUMar, Son of Late Sudhershnan Prasad, Resident of Village-Kachnar, Post Office-Kachnar, Police Station-Siswan, District-Siwan, At Present Posted and Working as a Teacher in Government Middle School, Kachnar, Block-Siswan, District-Siwan.

... .. 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.
3. The Director, Primary Education, Education Department, Bihar, Patna.
4. The District Magistrate, Siwan.
5. The Regional Deputy Director of Education, Patna Division, Patna.
6. The District Education Officer, Siwan.
7. The District Programme Officer, Establishment, Siwan.
8. The Block Education Officer, Siswan Division, Siwan.
9. The Block Education Officer, Raghunathpur Division, Siwan.

... .. Respondent/s



Appearance :

For the Petitioner/s : Mr.Angad Kunwar
For the Respondent/s: Mr.Kameshwar Kumar – Gp17

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT**

Date : 29-01-2019

1. Heard the learned counsel for the petitioners and the learned counsel for the State.
2. The learned counsel for the petitioners submits that the case of the petitioners is squarely covered by the order passed in *CWJC no. 6139 of 2007 dated 31.03.2011* and the said order has been affirmed by the Division Bench in *L.P.A. no. 756 of 2015 dated 16.08.2017*, hence the petitioners are entitled for similar relief as per the State Litigation Policy under Clause 4(c)(1) which reads as follows :-

4.C Covered Matters : 4.C (1). A good number of cases are from the category of similar cases. Each Government Department will aim to consider and settle the claim of the representationist/applicant-employee/citizen, if the claim is found covered by any decision of the Court. Many service matters of this nature can be disposed of at the level of the Department itself without compelling the litigant to come to the Court. In this manner, the Government Departments would be acting as efficient litigants.

3. Considering the submissions made on behalf of the petitioners, the present writ petition stands disposed of in



light of the order passed in *CWJC no. 6139 of 2007 dated 31.03.2011* and *L.P.A. no. 756 of 2015 dated 16.08.2017* as also *the State Litigation Policy* as quoted above.

4. The benefit granted to the petitioners of the aforesaid *C.W.J.C. no. 6139 of 2007 dated 31.03.2011* shall be extended to the petitioners herein within a period of six months from the date of making such representation before the competent authority.

(Mohit Kumar Shah, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.01.2019
Transmission Date	NA

