

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7921 of 2019

1. Mohan Kumar Son of Late Bigan Sah Resident of Village and Post-Banauta, P.S-Parsa, Dist-Saran (Bihar) Pin-841301 presently working as upgraded Middle School Bedwalia, Garkha.
2. Alok Ranjan Son of Late Keshav Prasad Singh Resident of Village and Post-Aphar, P.S-Amnour, Dist-Saran (Bihar) Pin-841301 presently working as upgraded Middle school.
3. Dhurv Baitha Son of Kedar Baitha Resident of Village-Patedhiya, P.O.-Murarpur, P.S-Janta Bazar, Dist-Saran (Bihar) Pin-841301 presently working as Middle School Tapanpura, Lalhampur.
4. Hareram Prasad Yadav Son of Late Mathura Prasad Yadav Resident of Village and Post-Dhamsar, P.S-Janta Bazar, Dist-Saran (Bihar) Pin-841301 presently working as Middle School Rusna Lahampur.
5. Amit Vijay Son of Late Krishna Kumar Resident of Mohalla-Salempur, P.O.-Chapra, P.S-Town Chapra, Dist-Saran (Bihar) Pin-841301 presently working as Sri Kishun Middle School Mouna, Town Chapra.
6. Sitaram Ray Son of Late Ranje Ray Resident of Village-Bichala Telpa, P.O.-East Telpa, P.S-Town, Dist-Saran (Bihar) Pin-841301 presently working as Girls Middle School Bada Telpa, Chapra Town.
7. Kumar Sashikant Son of Bharat Prasad Singh Resident of Village-Semalsarai, Post-Deobahura, P.S-Marhaura, Dist-Saran (Bihar) Pin-841301 presently working as Middle School Siswa Rasulpur, Marhaura, Saran.
8. Sandip Kumar Son of Late Bideshwari Resident of Village-Marhaura Purani Bazar, Post- and P.S-Marhaura, Dist-Saran (Bihar) Pin-841301 presently working as Adarsh Middle School Marhaura, Saran.
9. Jitendra Kumar Son of Ram Pravesh Singh Resident of Village-Jagdishpur, Post-Deobahura, P.S-Marhaura, Dist-Saran (Bihar) presently working as Girls Middle School Bahura Ptti, Marhaura.
10. Arun Kumar Singh Son of Vishwanath Singh Resident of Village-Marhaura Khas, Post and P.S-Marhaura, Dist-Saran (Bihar) presently working as upgraded Middle School Hasanpur Hindi, Marhaura.
11. Arvind Kumar Son of Ram Pravesh Prasad Yadav Resident of Village-Tehri, P.O-Silhauri, P.S-Marhaura, Dist-Saran (Bihar) presently working as upgraded Middle School Damodarpur, Marhaura, Saran.
12. Prem Sagar Ray Son of Ranglal Prasad Ray Resident of Village and P.O.-Tejpurwa, P.-Marhaura, Dist-Saran (Bihar) presently working as upgraded Middle School Dumaria, Sadar Chapra.
13. Saroj Kumar Paswan Son of Amerika Ram Resident of Village-Mala, Post-Gurukul Mehia Sadar Chapra, P.S-Muffasil, Dist-Saran (Bihar) presently working as upgraded Middle School Shivrahiya, Sadar Chapra.
14. Sanjay Kumar Singh Son of Mallick Singh Resident of Village-Singahi, Post-Mahmmadpur, P.S-Manjhi, Dist-Saran (Bihar) presently working as Middle School Singahi, Manjhi.
15. Mukesh Kumar Singh Son of Late Manan Singh Resident of Village-



Jamanpura, P.O-Deopura, P.S-Rasulpur, Dist-Saran (Bihar) presently working as Middle School Banshi, Chapra.

16. Arun Kumar Choubey Son of late Bashishth Narayan Choubey Singh Resident of Village-Madhopur Bada, Post and P.S-Taraiya, Dist-Saran (Bihar) presently working as Middle School Chanchaliya West.
17. Sudama Prasad Son of Late Ramraj Prasad Resident of Village-Bareja Ke Tola, Post-Jaitpur Mathiya, P.S-Daudpur, Dist-Saran (Bihar) presently working as Girls Middle School Shitalpur, Manjhi, Saran.
18. Savita Kumari W/o Ashok Kumar Sharma, D/o babulal Sharma Resident of Village-Pipra, P.O-Duraudha, P.S-Duraudha, Dist-Saran (Bihar) presently working as Middle School Shyamchak, Chapra Town.
19. Birendra Kumar Prasad Son of Late Sudama Pandit Resident of Mohalla-New Bank Colony, Shyamchak, P.O and P.S-Bhagwan Bazar, Dist-Saran (Bihar) presently working as Gandhi Middle School Daulatganj, Chapra Town.
20. Samim Ahamad Son of Late Nazir Ahamad Resident of Village-Gyaspur, P.S-Gyaspur, P.S-Siswan, Dist-Saran (Bihar) presently working as Urdu Middle School Gobrahi, Manjhi.
21. Md. Ajam Ansari Son of Yashin Ansari Resident of Village-Bashan, Post and P.S-Vijaypur, Dist-Gopalganj (Bihar) presently working as Middle School Husepur, Ekma, Saran.
22. Brij Mohan Paswan Son of Late Ram Laxman Paswan Resident of Vill-Mala, P.O-Gurukul Mehiyan P.S. Chapra Mufassil, Dist.-Saran presently working as Girls Middle School, Takina, Madhaura Saran.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director (Primary Education), Education Department, Government of Bihar, Patna.
4. The District Magistrate, Saran at Chapra.
5. The Regional Deputy Director of Education, Patna Division, Patna.
6. The District Education Officer, Saran at Chapra.
7. The District Programme Officer (Establishment), Saran at Chapra.
8. The Block Education Officer, Saran at Chapra.
9. The Block Education Officer, Madhourah, Saran.
10. The Block Education Officer, Chapra Sadar, Saran.
11. The Block Education Officer, Manjhi, Saran.
12. The Block Education Officer, Rasulpur, Saran.
13. The Block Education Officer, Taraiya, Saran.
14. The Block Education Officer, Ekma, Saran.



15. The Block Education Officer, Lahladpur, Saran.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 13802 of 2019

1. Birendra Kumar Ray S/o Ramayodhya Ray Resident of Naini, P.S- Muffasil, Dist-Saran (Bihar) Pin-841301 presently working as upgraded Middle school Jatua, Chapra Sadar.
2. Mahesh Prasad S/o Gopal Prasad Resident of village and P.S- Bhagwanpur, Dist-Siwan Pin-841408 presently working as primary school Pipra Bhardwaj Tola, Baniyapur, Chapra Sadar.
3. Ravindra Prasad Sah S/o Laxman Sah Resident of Chakdah, Banpura Bazar, P.S- Janta Bazar, Dist-Saran (Bihar) presently working as Primary School Yamuna, Chapra Sadar.
4. Suchit Kumar S/o Laxman Sah Resident of Rasulpur, P.O- Suithar, P.S- Derni, Dist-Saran (Bihar) Pin-841212 presently working as Adarsh Middle school Board Maraura, Chapra Sadar.
5. Shivnath Ram S/o Sukhdeo Ram, Resident of Bigha, P.O- Bigha, P.S- Manhi, Dist-Saran (Bihar) Pin-841301 presently working as Middle school Bigha, Chapra Sadar.
6. Ravindra Kumar Singh S/o Shyamnarayan Singh Resident village and P.O- Amnour, P.S- Manhi, Dist-Saran (Bihar) Pin-841401 presently working as Middle school Amnour, Chapra Sadar.
7. Samsul Haque Ansari S/o Md. Siqqique Ansari Resident of village and P.O- Naithar, P.S- Mashrak, Dist-Saran (Bihar) Pin-841417, presently working as Upgraded Middle school Paharpur, Garkha, Chapra Sadar.
8. Bipin Bihari Singh S/o late Dinanath Singh Resident of villge and P.O- Bardahiya, P.S- Marhaura, Dist-Saran (Bihar) presently working as Middle school RAsulpur, Amnour, Chapra Sadar.
9. Arvind Kumar S/o Late Rampukar Prasad Resident of Dharampur, P.O- Amnour, P.S- Marhaura, Dist-Saran (Bihar) Pin-841401 presently working as Middle school Sheikhpura, Amnour, Chapra Sadar.
10. Radheshyam Pandey S/o Hardeo Pandey Resident of Nadauwa, P.O- and P.S- Baniyapur, Dist-Saran (Bihar) Pin-841403 presently working as Middle school Bigha, Chapra Sadar.
11. Santosh Kumar Pandey S/o Nageshwar Pandey Resident of Gangoli, P.O and P.S- Mashrakh, Dist-Saran (Bihar) Pin-841417 presently working as Middle school Azad, Chandrashekhar, Chapra Sadar.
12. Samshad Ali S/o Abid Miyan Resident of Shyamchak, Brahmpur Pool, P.S- Bhagwanbzazar, Dist-Saran (Bihar) Pin-841301 presently working as Middle school Salempur Revilganj, Chapra Sadar.
13. Uma Shankar Sah S/o Ram Sagar Sah Resident of Sadhupur Balli P.S- Lenuar, Kopa Dist-Saran (Bihar) Pin-841205 presently working as Middle school Kopa, Jalalpur.



14. Sushil Kumar Singh S/o Shiv Bachan Singh Resident of village and P.O- Ghoghat, P.S- Chapra (Muffasil), Dist-Saran (Bihar) Pin-841301 presently working as Girls Middle school Telpa (Chota), Chapra Sadar.
15. Chhotelal Thakur S/o late Narayan Thakur Resident of village-Mohabbat Parsa, P.O- Revilganj, P.S- Revilganj, Dist-Saran (Bihar) presently working as Middle school Samastipur, Revilganj.
16. Kalimuddin S/o Phul Mohammad Ansari Resident of village and P.O- Nawada, P.S- Masharakh, Dist-Saran (Bihar) presently working as Middle school Madarpur Uedu, Mashrakh.
17. Md. Khalil S/o Md. Ishu Resident of village-Jhakhari, P.O- Jhakhra, P.S- Amnour, Dist-Saran (Bihar) presently working as Girls Middle school, Marhaura, Marhaura.
18. Manoj Kumar Singh S/o late Ishwar Narayan Singh Resident of village-Chain Chapra, P.O- Sitab Diyara P.S- Revilganj, Dist-Saran (Bihar) presently working as Middle school Suphal Tola, Revilganj.
19. Sonelal Sah S/o Bachan Sah Resident of village-Kharauni, P.O- Dayalpur, P.S- Janta Bazar, Dist-Saran (Bihar) presently working as upgraded Middle school Mukimpur, Garkha.
20. Manju Kumari W/o Sanjay Kumar Sah Resident of village-Chand Parsa, P.O- Chandparsa, P.S- Hasanpura, Dist-Saran (Bihar) presently working as Middle school Semariya Dayal Tola, Revilganj.
21. Madhusudan Prasad Baidya S/o Asharfi Baitha Resident of village and P.O- Nawada, P.S- Mashrakh, Dist-Saran (Bihar) presently working as upgraded Middle school Medhuka Kala, Baniyapur.
22. Suresh Prasad S/o Chathu Thakur Resident of Mohalla- Bajrang Nagar, P.O- Chapra, P.S- Bhagwan Bazar, Dist-Saran (Bihar) Pin- 841301presently working as upgraded Middle school Bharti Tola, Jalalpur.
23. Manindra Kumar Sinha S/o Late Dinanath Prasad Resident of Mohalla-Daulatganj, P.O- chapra, P.S- Bhagwan Bazar, Dist-Saran (Bihar)Pin- 841301 presently working as upgraded Middle school Bharti Tola, Jalalpur.
24. Arun Kumar Gupta S/o Late Awadh Kishore Gupta Resident of Mohalla-Katar Baradari, P.O- chapra, P.S- Bhagwan Bazar, Dist-Saran (Bihar)Pin- 841301 presently working as upgraded Middle school Bharti Tola, Jalalpur.
25. Alsan Ahmad Ansari S/o Jamal Ahmad Ansri Resident of village-P.O- Tujarpur, P.S- Khaira, Dist-Saran (Bihar)Pin- 841301 presently working as Middle school Gangajal, Sonapur.
26. Manoanjan Kumar Sharma S/o Praprit Prasad Sharma Resident of Mohalla-RAtanpura, P.O- Chapra, P.S- Bhagwan Bazar, Dist-Saran (Bihar)Pin- 841301 presently working as upgraded Middle school, Dewaria, Jalalpur.
27. Ramadhar Kumar S/o Late Laxman Ray Resident of village- Tenua, P.O- Musehari, P.S- Chapra Muffasil, Dist-Saran (Bihar) presently working as upgraded Middle school Khodai Bag, Nagar.
28. Dhruv Baitha S/o Kedar Baitha Resident of village- Patedhiya, P.O- Murarpur, P.S- Janta Bazar, Dist-Saran (Bihar)Pin- 841301 presently working as upgraded Middle school Tamanpura, Lahladpur.
29. Kanchan Kumar S/o Late Awadhe Kishore Gupta Resident of Mohalla-



- Katar Baradari, P.O- chapra, P.S- Bhagwan Bazar, Dist-Saran (Bihar)Pin- 841301 presently working as upgraded Middle school Bharti Tola, Jalalpur.
30. Arun Kumar S/o Girdhar Prasad Resident of Mohalla- Nai Bazar, Khanu, P.O- Chapra, P.S- Bhagwan Bazar, Dist-Saran (Bihar)Pin- 841301 presently working as Middle school Daldali Bazar, Rivilganj.
 31. Anisur Rahman S/o Nurul Hoda Resident of Mohalla- Sheikh Toli, P.O- Chapra, P.S- Bhagwan Bazar, Dist-Saran (Bihar)Pin- 841301 presently working as Urdu Middle school Semaria Jahajghat, Rivilganj.
 32. Ramlayak Das S/o Sudarshan Ram Resident of Mohalla- Ratanpura, Garha, P.O- Chapra, P.S- Bhagwan Bazar, Dist-Saran (Bihar)Pin- 841301 presently working as Middle school Shyamchak, Chapra Nagar.
 33. Sanjay Kumar Singh S/o Late Hulas Singh Resident of Mohalla- Salapatganj P.O- Chapra, P.S- Bhagwan Bazar, Dist-Saran (Bihar)Pin- 841301 presently working as Middle school Ajayabganj, Chapra Nagar.
 34. Md. Kasim S/o Md. yakub Resident of village and P.O- Anjani, Via- Parsa, P.S- Parsa, Dist-Saran (Bihar) presently working as Middle school Ketukanandan, Maker.
 35. Garibnath Prasad S/o Sri Mohan Prasad Resident of village- Jalalpur, P.O- Rasalpura, P.S- Doriganj, Dist-Saran (Bihar) Pin- 841301 presently working as upgraded Middle school Koraiya, Amnour.
 36. Hareram Prasad Yadav S/o late Mathura Prasad Yadav Resident of village and P.O- Dhamsar, P.S- Janta Bazar, Dist-Saran (Bihar)Pin- 841301 presently working as upgraded Middle school Sasna, Lahladpur.
 37. Santosh Kumar Tiwari S/o Late Akhilanand Tiwari Resident of village- Uphar, P.O- Uphar, P.S- Amnour, Dist-Saran (Bihar)Pin- 841301 presently working as upgraded Middle school Salkhua, Amnour.
 38. Sushil Kumar S/o Rajnath Prasad Resident of village-Pakari Narottam, P.O- Sattjora Mashrakh, P.S- Bhagwan Bazar, Dist-Saran (Bihar)Pin- 841301 presently working as Middle school Satjora Panapur.
 39. Junaid S/o Jahir Resident of Mohalla- Dahiyawan, P.O- Chapra, P.S- Chapra Town, Dist-Saran (Bihar)Pin- 841301 presently working as upgraded Middle school Tola Parwej Khan, Nagar.
 40. Kavind Renu S/o Ramlakhan Pandit Resident of MohallaSahadi Patti, P.O- Jagatpur, P.S- Basantpur, Dist-Siwan (Bihar)Pin- 841301 presently working as Middle school Daldali Bazar, Rivilganj
 41. Insaf Ali S/o.Nabi Ansari,. Resident of Mohalla- Katokhar, P.O- Mubarakpur, P.S- Manjhi, Dist-Saran (Bihar)Pin- 841301 presently working as upgraded Middle school Urdu, Kopa, Jalalpur.
 42. Ashok Kumar S/o Kameshwar Kumar Resident of Mohalla- Chandmari Road, Prabhunaht Nagar, P.O- Chapra, Saran P.S- Chapra Muffasil, Dist-Saran (Bihar)Pin- 841301 presently working as upgraded Middle school Sagaddi Jalalpur.
 43. Shyamsundar Upadhyaya S/o Rampukar Upadhyay Resident of Mohalla- Chandmari Road, Prabhunaht Nagar, P.O- Chapra, Saran P.S- Chapra Muffasil, Dist-Saran (Bihar)Pin- 841301 presently working as upgraded Middle school Nipania, Isuapur.



44. Anil Kumar Sharma S/o late Ramnagina Sharma Resident of village and P.O and P.S- Dariyapur Dist-Saran (Bihar)Pin- 841301 presently working as upgraded Middle school Shivrahiya Sadar Chapra.
45. Prabhat Kumar S/o late Nagendra Prasad Singh Resident of Mohalla-Sheikhpura Dih, P.O- Dharhara Kala, P.S- Amnour, Dist-Saran (Bihar)Pin- 841301 presently working as upgraded Middle school Pakaha, Marhaura Saran.
46. Arun Kumar Singh S/o late Sawaliya Bihari Singh Resident of Mohalla-Masumganj, P.O- Chapra, P.S- Bhagwan Bazar, Dist-Saran (Bihar)Pin- 841301 presently working as Middle school Boys, Revilganj.
47. Sidheshwar Prasad Singh S/o late Sri Krishna Prasad Singh Resident of Mohalla- Bhatkeshwari, via- Baniyapur, P.S- Jalalpur, Dist-Saran (Bihar) Pin- 841402 presently working as Middle School, Masumganj, Chapra Nagar, Saran.
48. Amar Kumar Dubey S/o Late Satyanarayan Dubey Resident of Mohalla-Bharhopur, P.O- Bharhopur, via- Ekma, Dist-Saran (Bihar)Pin- 841301 presently working as Middle school Khanpur, Manjhi, Saran.
49. Om Prakash Ram S/o late Asarfi Ram Resident of Mohalla- Durg Tola, P.O- Fekhsa,, P.S- Garhwa, Dist-Saran (Bihar)Pin- 841415 presently working as upgraded Middle school Pathara, Garhwa, Saran.
50. Ajay Kumar Prasad S/o late Devchandra Prasad Resident of Mohalla-Salempur, P.O- Salempur, via- Isuapur Dist-Saran (Bihar)Pin- 841301 presently working as upgraded Middle school Jalalpur, Isuapur, Saran.
51. Ajay Kumar Chaudhary S/o Shivnath Chaudhary Resident of Mohalla-Roopganj, P.O- Chapra, P.S- Chapra Town, Dist-Saran (Bihar)Pin- 841301 presently working as Middle school Daldali, Revilganj.

... .. 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 District Magistrate Saran at Chapra.
5. The Regional Deputy Director of Education Patna Division, Patna.
6. The District Education Officer Saran at Chapra.
7. The District Programme Officer (Establishment), Saran at Chapra.
8. The Block Education Officer Ekma, Saran.
9. The Block Education Officer Dariyapur, Saran.
10. The Block Education Officer Manjhi, Saran.
11. The Block Education Officer Lahladpur, Saran.
12. The Block Education Officer Amnour, Saran.
13. The Block Education Officer Dighwara, Saran.



14. The Block Education Officer Garkha, Saran.
15. The Block Education Officer Sonpur, Saran.
16. The Block Education Officer Revilganj, Saran.
17. The Block Education Officer Dariyapur, Saran.
18. The Block Education Officer Maker, Saran.
19. The Block Education Officer Nagar, Saran.
20. The Block Education Officer Marhoura, Saran.
21. The Block Education Officer Jalalpur, Saran.
22. The Block Education Officer Baniyapur, Saran.
23. The Block Education Officer Isuapur, Saran.
24. The Block Education Officer Chapra Nagar, Saran.
25. The Block Education Officer Panapur, Saran.
26. The Block Education Officer Mashrak, Saran.
27. The Block Education Officer Taraiya, Saran.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 7921 of 2019)

For the Petitioner/s : Mr.Shashi Shekhar Tiwary, Advocate

For the Respondent/s : Mr.Jitendra Kr. Roy 1 (Sc13)

(In Civil Writ Jurisdiction Case No. 13802 of 2019)

For the Petitioner/s : Mr.Shashi Shekhar Tiwary, Advocate

For the Respondent/s : Mr.Subash Chandra Mishra (Sc16)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 21-08-2019 Both the writ petitions involve similar question and as such they have been heard together and are being disposed of by this common order.

Earlier the writ court has considered the similar issue and allowed the writ petition, CWJC No. 6139 of 2007 on 31.3.2011 and the Letters Patent Appeal No. 756 of 2015 against aforesaid order of the writ court was dismissed by the LPA Court on 16.08.2017 and the order of the writ court was



approved.

Considering the aforesaid, both the writ petitions are allowed in terms of the order dated 31.3.2011 passed in CWJC No. 6139 of 2007 which was approved by order dated 16.08.2017 in LPA No. 756 of 2015.

The respondents are directed to take appropriate decision granting similar benefits to these petitioners also within a maximum period of three months from the date of receipt/production of a copy of this order.

With the aforesaid, both the writ petitions stand allowed and disposed of.

(Anil Kumar Upadhyay, J)

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