

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.364 of 2019

1. Murari Prasad Gupta and Ors Son of Triveni Sah, Resident of Village- Sidhna, Post Office- Dangol, Police Station- Balrampur, District- Katihar.
2. Pradip Kumar Singh, Son of Shashidhar Singh, Resident of Village- Paruwar Vhilai, Post Office- Dangol, Police Station- Balrampur, District- Katihar.
3. Nawal Kishore Das, Son of Dayalal Das, Resident of Village- Viswa Dighi, Post Office- Mahishal, Police Station- Balrampur, District- Katihar.
4. Md. Mahbub Alam, Son of Md. Yunus, Resident of Village- Bairiya, Post Office- Sikatiya, Police Station- Aajamnagar, District- Katihar.
5. Badal Kumar Yadav, Son of Bajru Yadav, Resident of Village- Daula Bhok Chamari, Post Office- Manman, Police Station- Barsoi, District- Katihar.
6. Rakesh Kumar Singh, Son of Rajendra Prasad Singh, Resident of Village- Post Office- Bhandartal, Police Station- Barari, District- Katihar.
7. Md. Harun Rashid, Son of Md. Israil, Resident of Village- Dagariya, Post Office- Sukhasan, Police Station- Barari, District- Katihar.
8. Rakaiya Khatoon, Wife of Md. Ishrail, Resident of Village- Kewala, Post Office- Kaheniya, Police Station- Pranpur, District- Katihar.
9. Jayanti Kumari, Wife of Kalyan Kumar Sah, Resident of Village- Nababganj, Post Office Police Station Manihari, District- Katihar.
10. Aarti Kumari, Wife of Devendra Sharma, Resident of Village- Rampur Hardar, Post office- Talta, Police Station Balrampur, District- Katihar.
11. Archana Rai, Wife of Shambhu Kumar Rai, Resident of Village- Shahpur, Post Office- Dangol, Police Station- Balrampur, District- Katihar.
12. Brajesh Thakur, Son of Nandlal Thakur, Resident of Village- Madhura, Post Office- Madhura, Police Station- Kodha, District- Katihar.
13. Raju Kumar Chouhan, Son of Itwari Chouhan, Resident of Village- Kolasi, Post Office- Sandalpur, Police Station- Kodha, District- Katihar.
14. Sumai Hembram, Son of Raisim Hembram, Resident of Village- Sowa, Post Office- Narayanpur, Police Station- Manihari, District- Katihar.
15. Amarnath Sharma, Son of Haricharan Sharma, Resident of Village- Bhuniya Tola Baghmara, Post Office Police Station- Manihari, District- Katihar.
16. Naim Chand Khan, Son of Taslim Khan, Resident of Village- Sakarpura, Post Office Police Station- Dandkhora, District- Katihar.
17. Md. Tinku Alam, Son of Md. Sakim, Resident of Village- Baida, Post Office- Roshna, Police Station- Amdabad, District- Katihar.
18. Abdul Rahman, Son of Abul Hussain, Resident of Village- Hajipur, Post Office Police Station District- Katihar.
19. Mithilesh Kumar Mandal, Son of Sahdeo Mandal, Resident of Village Post Office- Chakla Moulapur, Police Station- Falka, District- Katihar.
20. Nutan Kumari, Wife of Siyaram Rajak, Resident of Village- Chandpur Vishnuchak, Post Office- Sameli, Police Station- Falka, District- Katihar.



21. Sadhna Devi, Wife of Umesh Prasad Yadav, Resident of Village- Barari, Post Office Police Station- Barari Guru Bazar, District- Katihar.
22. Kiran Prakash, Wife of Umakant Mandal, Resident of Village Post Office- Chakla Moulanagar, Police Station- Falka, District- Katihar.
23. Kanchan Kumari, Wife of Sikendra Rai, Resident of Village Post Office- Chhohar, Police Station- Falka, District- Katihar.
24. Naresh Kumar Mandal, Son of Jiwach Mandal, Resident of Village- Malhariya, Post Office- Pothiya, Police Station- Falka, District- Katihar.
25. Babita Kumari, Wife of Sanjiv Kumar Mandal, Resident of Village- Khaira Lal Chand, Post Office- Sameli, Police Station- Falka, District- Katihar.
26. Dezi Kumari, Wife of Mitranjan Yadav, Resident of Village- Paschimi Chandpur, Post Office- Chandpur, Police Station- Falka, District- Katihar.
27. Tumpi Rani Thokdar, Wife of Sanjiv Kumar Das, Resident of Village- Madanpur, Post Office- Mukuriya, Police Station- Ajamnagar, District- Katihar.
28. Sonam Kumari, Wife of Pandav Pramanik, Resident of Village- Gourakhpur, Post office-Mukuriya, Police Station- Ajamnagar, District- Katihar.
29. Daya Bhushan Mishra, Son of Sachidanand Jha, Resident of Village- Alampur, Post Office Police Station- Ajamnagar, District- Katihar.
30. Lalita Devi, Wife of Dharmendra Kewat, Resident of Village Post Office- Arihana, Police Station- Ajamnagar, District- Katihar.
31. Bharti Saha, Wife of Sanjay Saha, Resident of Village Post Office- Kharsota, Police Station- Ajamnagar, District- Katihar.
32. Phul Kumar Mandal, Son of Ram Charan Mandal, Resident of Village Post Office- Kharsota, Police Station- Ajamnagar, District- Katihar.
33. Namita Kumari, Wife of Arun Rai, Resident of village- Alampur, Post Office Police Station- Ajamnagar, District- Katihar.
34. Rambha Devi, Wife of Arjun Kumar Sharma, Resident of Village- Manjariya, Post Office- Teghra, Police Station- Ajamnagar, District- Katihar.
35. Firoj Alam, Son of Abdul Karim, Resident of Village- Magheli, Post office- Dhanetha, Police Station- Falka, District- Katihar.
36. Arvind Kumar Bishwas, Son of Hari Mohan Bishwas, Resident of Village- Nagar Tola, Post Office- Sikatiya, Police Station- Ajamnagar, District- Katihar.
37. Pinki Murmu, Wife of Kishan Tidu, Resident of Village- Nagar Tola, Post Office- Sikatiya, Police Station- Ajamnagar, District- Katihar.
38. Guddi Kumari, Daughter of Shri Janardan Prasad Yadav, Resident of Village- Kalyan Gaon, Post Office- Ajhrail, Police Station- Balrampur, District- Katihar.
39. Narendra Nath Singh, Son of Late Paras Nath Singh, Resident of Village- Dahal, Post office- Telta, Police Station- Balrampur, District- Katihar.
40. Sandipa Devi, Wife of Hirendra Prasad Das, Resident of Village- Mallikpur, Post Office- Dalkola, Police Station- Balrampur, District- Katihar.



41. Rajendra Nath Das, Son of Bhawesh Chandra Das, Resident of Village- Manikpur, Post Office- Fatehpur, Police Station- Balrampur, District- Katihar.
42. Hema Devi, Wife of Sudhir Kumar Sharma, Resident of Village- Mohadipur Post office Fatehpur, Police Station- Balrampur, District- Katihar.
43. Nageshwar Prasad Das, Son of Late Hemant Kumar Das, Resident of Village- Telta Khohar, Post Office- Telta, Police Station- Balrampur, District- Katihar.
44. Krishna Mohan Das, Son of Late Puran Dhar Das, Resident of Village- Kamra, Post office- Madhepur, Police Station- Balrampur, District- Katihar.
45. Arun Ram, Son of Ram Prasad Ram, Resident of Village- Kodha Post Office Police Station- Kodha, District- Katihar.
46. Chanda Kumari, Wife of Uttan Lal Singh, Resident of Village- Birahariya, Post Office- Siriya, Police Station- Kodha, District- Katihar.
47. Milan Kumar, Son of Khagesh Paswan, Resident of Village Post Office- Khudna Rupaspur, Police Station- Routara, District- Katihar.
48. Kajal Kiran, Wife of Nirmal Kumar Chaudhary, Resident of Village Post Office- Kheriya, Police Station- Kodha, District- Katihar.
49. Nandani Kumari, Wife of Manmod Kumar, Resident of Village- Musapur, Post Office Police Station- Kodha, District- Katihar.
50. Nisha Kumari, Wife of Rakesh Kumar Mishra, Resident of Village- Kolali, Post Office- Sandalpur, Police Station- Kodha, District- Katihar.
51. Rohit Paswan, Son of Sitaram Paswan, Resident of Village- Binodur, Post Office- Dighri, Police Station- Routara, District- Katihar.
52. Babita Bharti, Wife of Bhagwat Pasawn, Resident of Village Post Office- Binodpur, Police Station- Dighri, District- Katihar.
53. Santosh Kumar Thakur, Son of Madan Mohan Thakur, Resident of Village- Mohnathpur, Post Office- Shishiya, Police Station- Kodha, District- Katihar.
54. Kalpna Malakar, Wife of Sanjay Kumar Malakar, Resident of Village Post office Police Station- Kodha, District- Katihar.
55. Pushpa Kumari, Wife of Gopal Chandra Sharma, Resident of Village- Basgadha, Post office- Gadha, Police Station- Kodha, District- Katihar.
56. Manjita Kumari, Wife of Suresh Yadav, Resident of Village- Baharkhal, Post Office- Khudna Rupaspur, Police Station- Routara, District- Katihar.
57. Bhanu Pratap Lal, Son of Ram Pratap Lal, Resident of Village Post Office Police Station- Falka, District- Katihar.
58. Krishna Kumari, Wife of Murli Manohar Yadav, Resident of Village- Babhani, Post Office- Baredha, Police Station- Falka, District- Katihar.
59. Binita Kumari, Wife of Naresh Kumar Mandal, Resident of Village- Lohna, Post Office- Pothiya, Police Station- Falka, District- Katihar.
60. Sulochna Kumari, Wife of Bipin Kumar Das, Resident of Village Post Office- Baraita, Police Station- Falka, District- Katihar.
61. Ali Ahmad, Son of Safiruddin Rahman, Resident of Village- Salehpur, Post



Office- Molam, Police Station- Falka District- Katihar.

62. Mira Gupta, Wife of Chote Lal Gupta, Resident of Village- Barbariya, Post Office- Pir Mokam, Police Station- Falka, District- Katihar.
63. Gita Sinha, Wife of Pradeep Kumar Mandal, Resident of Village Post Office- Bhangha, Police Station- Falka, District- Katihar.
64. Shashi Kumar Yadav, Son of Hem Narayan Yadav, Resident of Village Post Office- Govindpur, Police Station- Falka, District- Katihar.
65. Parmhans Bhagat, Son of Ram Chandra Bhagat, Resident of Village- Hariabhir, Post Office- Semapur, Police Station- Kodha, District- Katihar.
66. Amar Kumar Das, Son of Shashi Bhushan Das, Resident of Village- Sihagawan, Post Office- Telta, Police Station- Balrampur, District- Katihar.
67. Birendra Ram, Son of Mahavir Ram, Resident of Village- Mahinathpur, Post Office- Telta, Police Station- Koraha, District- Katihar.
68. Md. Tajuddin, Son of Md. Sirajuddin, Resident of Village- Bakhrikol, Post Office- B.K. Asthan, Police Station- K. Nagar, District- Purnea.
69. Banita Kumari, Daughter of Vivekanand Thakur, Wife of Arbind Kumar Resident of Village- Majra, Post Office- B.K. Asthan Police Station- K.Nagar, District Purnea.
70. Vikash Kumar, Son of Maheshwari Prasad Singh, Resident of village Post Office- Gangeli, Police Station- K. Nagar, District- Purnea.
71. Punam Devi, Wife of Sanjay Kumar Poddar, Resident of Village- Satkodariya, Post office- Gangeli, Police Station- K.Nagar, District- Purnea.
72. Mukul Kumar Mishra, Son of Ramdev Mishra, Resident of Village- Chunapur, Post Office- Chunapur Airodram, Police Station K. Nagar, District- Purnea.
73. Vandana Kumari, Wife of Ritesh Kumar Jha, Resident of Village- Bhuri, Post Office- Sahra, Police Station- K. Nagar, District- Purnea.
74. Aruna Kumari, Wife of Ranjit Kumar Sah, Resident of Village- Champa Nagar Post Office- Banaili, Police Station- K. Nagar, District- Purnea.
75. Kanhaiya Singh, Son of Paras Singh, Resident of Village- Champanagar, Post office- Banaili, Police Station- K. Nagar, District- Purnea.
76. Shagufta Yasmin, Daughter of Md. Rafiullah, Resident of Village- Islampur, Post Office- Khemchand, Police Station- K. Nagar, District- Purnea.
77. Simmi Kumari, Daughter of Yugal Kishor Mandal, Resident of Village Post Office- Khokha, Police Station- K.Nagar, District- Purnea.

... .. Petitioner/s

Versus

1. The Union Of India through Joint Secretary-cum-Director-in-Chief National Literacy Mission Authority, Human Resources Development Department, School Education and Literacy Department, Shastri Bhawn, New Delhi.
2. The Joint Secretary-cum-Director-in-Chief National Literacy Mission Authority, Human Resources Development Department, School Education and Literacy Department, Shastri Bhawn, New Delhi.
3. The State of Bihar, through the Chief Secretary, Government of Bihar, Patna.



4. The Principal Secretary, Education Department, Government of Bihar, Patna.
5. The Director, Mass Education, Education Department, Government of Bihar, Patna.
6. The Joint Director, Mass Education, Education Department, Government of Bihar, Patna.
7. The Director (Administration), Education Department, Government of Bihar, Patna.
8. The Deputy Director (Administration), Education Department, Government of Bihar, Patna.
9. The District Education Officer, Katihar.
10. The District Education Officer, Purnea.
11. The District Programme Officer, Katihar.
12. The District Programme Officer, Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Diwakar Yadav, Advocate.
For the State	:	Smt.Shilpa Singh -GA-12
For Union of India	:	Mr. Shyam Bihari Singh, Advocate.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 05-09-2019 The present writ application has been filed by the petitioners who on account of closure of Bharat Literacy Programme stand deprived of their contractual employment under the scheme. The case of the petitioners was raised in the proceedings arising out of CWJC No. 12530 of 2019 which has been disposed of on 04.07.2019. In the said case this court after considering the claim of the petitioners and the fact that there is likelihood that similar scheme may be under taken in future by the State Authorities for imparting adult education in paragraphs 10 and 11 of the order dated 04.07.2019 has directed as follows:

“10. All that this Court can direct



is that in case such a scheme is reintroduced by extending its term or launching another scheme of similar nature, the State Government in its Education Department shall consider the candidature of the petitioners because of the experience that they have gained in imparting adult education and removing the illiteracy from the State of Bihar. In that event, it would be open for the petitioners to appear before the concerned authorities and request them to give the petitioners weightage for their experience that they have gained and perhaps relaxation of the age requirement if fixed under the scheme.

11. However for the period that the petitioners have worked during the subsistence of the scheme, they are required to paid for the same. Since some of the petitioners have not been paid their honorarium from September 2016, this Court directs such petitioners who have not been



paid their honorarium to make a representation before the Director, Mass Education, Education Department, Government of Bihar, Patna (respondent no.5), who would ensure prompt payment of the honorarium for the period that the petitioners have worked.”

The parties are in agreement that the claim of the petitioners is similar to CWJC No. 12530 of 2019.

The State Counsel however, disputed that in respect of the petitioners of this case there is no dues on account of honorarium. Since the issues/claims are not being decided by this court, such submissions in these proceedings need not be considered. This court would observe that the direction contained in paragraphs 10 and 11 of the order dated 04.07.2019 would cover the case of the petitioners in the instant case as it is jointly submitted that the prayer made in the instant proceedings are substantially the same which has been considered by this court in CWJC No. 12530 of 2019. This court, therefore, would dispose of this case in terms of paragraphs 10 and 11 of the order dated 04.07.2019, passed in CWJC No. 12530 of 2019.



The writ petition stands disposed of.

(Madhuresh Prasad, J)

T.Kr./-Rahul
Mishra

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