

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 2372 of 2020

=====

Rupkala Kumari Wife of Ranvir Kumar Bharti Resident of Village- Salempur,
P.S.- Bisfi, Dist- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Govt. of Bihar, Patna.
2. The District Programme Officer, Primary Education and non formal
Education Programme, Madhubani.
3. The Chief Secretary, Govt. of Bihar, Patna.
4. Director Mass Education, Patna Bihar.
5. District Education Officer, Madhubani, Bihar.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Jagannath Prasad
For the Respondent/s : Mr.Ashutosh Ranjan Pandey (Aag15)

=====

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 20-02-2020 Heard learned counsel for the petitioner and the
respondent-State.

The claim in this writ petition is for absorption of the
petitioner claiming to be Non-Formal Supervisor/Instructor
earlier appointed by the Department of Education on stipend.
The claim is made on the basis of certain orders passed on
21.04.2011 in CWJC No 8418 of 2010.

The petitioner has approached this Court in this
proceeding much after 26.02.2016.

Learned counsel for the State has brought to the
notice of this Court order of the Division Bench dated



22.09.2019 passed in MJC No 243 of 2018. The relevant extract of the said order is being reproduced:-

“In case, the judgment of this Court in MJC No 3765 of 2016 is upheld by the Supreme Court, ultimately the petitioners will have a liberty to approach the State Government and the State Government shall be obliged to consider their cases in terms of the judgment of the Hon’ble Supreme Court. These contempt applications are, thus, disposed of in terms stated hereinabove.

The writ applications, which have been filed after 26th of February, 2016, except one as indicated hereinabove, are also disposed of on the same terms giving liberty to the petitioners to approach the State Government after the judgment of the Hon’ble Supreme Court in SLP (C) Diary No 25804 of 2017 if the Hon’ble Supreme Court grants any relief to the persons similarly situated to the petitioners.”

The parties, therefore, are in agreement that the petitioner would be at liberty to approach this Court if the relief that she is claiming is granted to other similarly situated after the judgment of the Hon’ble Supreme Court in SLP (C) Diary No 24804 of 2017.

The writ petition is, accordingly, dismissed.

(Madhuresh Prasad, J)

M.E.H./-

U			
---	--	--	--

