

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4198 of 2020

1. Shekhar Kumar Gupta Son of Hira Lal Gupta, Resident of Mohalla-Shivajee Colony- 1, P.O. Mirjanhat, P.S.- Mozahidpur, District- Bhagalpur present posted as Assistant Teacher in Primary School Kalabganj, Nagar Nigam (East) Bhagalpur.
2. Shekhar Singh, Son of Bipin Bihari Mandal, Resident of Village- Choudhary Tola, P.O. Kahalgaon, P.S. Kahalgaon, District- Bhagalpur present posted as Headmaster in Middle School, Ogri, Kahalgaon, Bhagalpur.
3. Amal Raj Dip, Son of Manohar Yadav, Resident of Village- Imadpur, P.O.- Samastipur, P.S. Sajour, District- Bhagalpur, present posted as Assistant teacher in Primary School Digghi, Block Nathnagar.
4. Prabin Kumar, Son of Sakhichand Paswan, Resident of Village- Rashidpur, P.O. Champanagar, P.S. Nathnagar, District- Bhagalpur present posted as Assistant teacher in Chandrawati Kanya Middle School Chanpanagar, Nagarnigam (West).
5. Sanjay Kumar, Son of Mahabir Rajak, Resident of Village High School Tola, Bariyarpur, District- Munger, present posted as Assistant teacher in Middle School Sahebganj Block Nagarnigam.
6. Vikash Poddar, Son of Bhagwan Poddar, Resident of Village- Akbarnagar, P.S. Akbarnagar, District- Bhagalpur, present posted as Assistant teacher in Primary School Fatahpur Block Nathnagar.
7. Kumar Mukesh, Son of Bishnudeo Pd. Yadav, Resident of Village Bharko, P.S. Amarapur, District- Banka, present posted as Assistant teacher in primary School Harijan tola Navtoliya Block Nathnagar.
8. Rajesh Kumar Roy, Son of Munni Mandal, Resident of Mohalla- Dip Nagar, Kali Thakur Lane, P.O.- Kharmanchak, P.S. Adampur, District- Bhagalpur, present posted as Assistant teacher in Primary School Dildarpur Block Nathnagar.
9. Ajay Kumar Lal, Son of Kisto Prasad Raut, Resident of Village- Champanagar V.T. Lane, P.S. Nathnagar, District- Bhagalpur, present posted as Assistant teacher in Middle School Srirampur Block Nathnagar.
10. Manoj Kumar, Son of Sita Ram Mahto, Resident of Vilage- Narayanpur, P.O. and P.S. Pirpainti, District- Bhagalpur, present posted as Head Master in Middle School Lakshmipur, Block Pirpainti.
11. Vikash Chandra Verma, Son of Ram Pratap Verma, Resident of Village- Vikramshila, P.O. and P.S. Kahalgaon, District- Bhagalpur, present posted as Assistant teacher in Middle School Bholsar West Tola, Block Kahalgaon.
12. Kamlesh Kumar Rajak, Son of Late Kokan Rajak, Resident of Village- Ganganagar, P.O. and P.S.- Kahalgaon, District- Bhagalpur, present posted as Assistant teacher in primary School Alampur, Block Kahalgaon.
13. Bindeshwari Mandal, Son of Ganesh Mandal, Resident of Village and P.O. Gibindpur, Mohanpur, P.S. Pirpainti, District- Bhagalpur, present posted as Assistant teacher in Middle School Salempur Saini Block Kahalgaon.
14. Shiv Sankar Mandal, Son of Bhagwan Mandal, Resident of Village and P.O.



- Khawaspur, P.S. Pirpainti, District- Bhagalpur, present posted as Assistant teacher in Middle School Malakpur Block Kahalgaon.
15. Ramanand Mandal, Son of Sadhu Mandal, Resident of Village and P.O. Khawaspur, P.S. Pirpainti, District- Bhagalpur, present posted as Assistant teacher in Middle School Baiju Tola Block Kahalgaon.
 16. Birbal Mandal, Son of Manohar Mandal, Resident of Village- L.C.T. Ghat Road, P.O. and P.S. Kahalgaon, District- Bhagalpur, present posted as Assistant teacher in Middle School Antichak Block Kahalgaon.
 17. Rajeev Das, Son of Late Arjun Das, Resident of Village - Kushapur, P.O. Shobhnathpur, P.S.- Kahalgaon, District- Bhagalpur, present posted as Assistant teacher in Middle School Sadanandpur Baisa Block Kahalgaon.
 18. Sita Ram Das, Son of Late Lakhan Das, Resident of Village- Bholsar, P.O.- Ekchari, P.S. Kahalgaon, District- Bhagalpur, present posted as Assistant teacher in Middle School Trimuhan Block Kahalgaon.
 19. Anuplal Mandal, Son of Bibhishan Mandal, Resident of Village- Kachaharia, P.O.- Budhu Chak, P.S. Kahalgaon, District- Bhagalpur, present posted as Headmaster in Middle School Anthwan Block Kahalgaon.
 20. Krishnadeo Pd. Singh, Son of Mahabir Pd. Singh, Resident of Village- Dayalpur, P.S.- Sangita Baita, P.S. Antichak, District- Bhagalpur, present posted as Assistant teacher in Middle School Antichak Block Kahalgaon.
 21. Nandan Kumar, Son of Mahraji Mandal, Resident of Village and P.O.- Rampur, P.S. Kahalgaon, District- Bhagalpur, present posted as Assistant teacher in Middle School Nayatola Rampur Block Kahalgaon.
 22. Yogesh Kumar Singh, Son of Late Ramswarup Singh, Resident of Village- Salampur Saini, P.O.- Nandlalpur, P.S. Kahalgaon, District- Bhagalpur, present posted as Headmaster in Middle School Sadanandpur Baisa Block Kahalgaon.
 23. Sunil Kumar, Son of Kapuri Mandal, Resident of Village- Jageshwarpur, P.O. Mathurapur, P.S. Kahalgaon, District- Bhagalpur, present posted as Headmaster in Middle School Jaytipur Block Kahalgaon.
 24. Munna Prasad Shah Son of Ganesh Parasd Sah, Resident of Village- Shivanarayanpur, P.O. Mathurapur, P.S. Kahalgaon, District- Bhagalpur, present posted as Headmaster Middle School Dhanoura Block Kahalgaon.
 25. Prabu Kumar Mandal, Son of Sarda Prasad Mandal, Resident of Village- Tulsipur, P.O.- Barmasia, P.S.- Pirpainti, District- Bhagalpur, present posted as Headmaster in Government Middle School Dayalpur Block Kahalgaon.
 26. Amarnath Paswan, Son of Sheonarayan Paswan, Resident of Village and P.O.- Dhuabai, P.S. Sanokhar, District- Bhagalpur, present posted as Headmaster in Middle School Kalgiganj Block Kahalgaon.
 27. Pravin Kumar, Son of Late Sukhdeo Mandal, Resident of Village- Jageshwarpur, P.O.- Mathurapur, P.S. Kahalgaon, District- Bhagalpur, present posted as Headmaster in Middle School Banspti Block Kahalgaon.
 28. Uma Shankar Mandal, Son of Jagdish Mandal, Resident of Village- Nayanagar, Rani Diyara, P.O. Kishandaspur, P.S. - Budhuchak, District- Bhagalpur, present posted as Headmaster in Middle School Budhuchak Block Kahalgaon.



29. Naresh Kumar Mandal, Son of Bisheshwar Mandal, Resident of Village- Kachaharia, P.S.- Budhuchak, District- Bhagalpur, present posted as Assistant teacher in Middle School Malkhanpur Block Kahalgaon.
30. Arun Kumar Paswan, Son of Late Furo Paswan, Resident of Village and P.O. Krishandaspur, P.S.- Budhuchak, District- Bhagalpur, present posted as Headmaster in Middle School Harchandpur Block Kahalgaon.
31. Neeraj Kumar Das, Son of Upendra Prasad Das, Resident of Village and P.O.- Batsar, P.S.- Dhoraiya, District- Banka, present posted as Assistant teacher in Primary School Ekchhari Harijan Block Kahalgaon.
32. Vivekanand Sarma, Son of Late Madhusudan Sharma, Resident of Village- Barinaki, P.O. Choti Naki, P.S.- Sanokhar, District- Bhagalpur, present posted as Assistant teacher in Urdu Middle School Maheshamunda B,lock Kahalgaon.
33. Lal Bahadur Singh, Son of Parmanand Singh, Resident of Village and P.O. Rani Diyara, P.S. Pirpanti, District- Bhagalpur, present posted as Assistant teacher in Urdu Primary School BMC Birbanna Block Kahalgaon.
34. Abhay Kumar, Son of Abdhesh Kumar Singh, Resident of Village- Kisnichak, P.O.- Ammapali, P.S. Pirpanti, District- Bhagalpur, present posted as Headmaster in Middle School Yamuniya Tola Block Kahalgaon.
35. Sikandar Prasad Mandal, Son of Rameshwar Mandal, Resident of Village- Patelnagar, P.O. Kahalgaon, P.S.- Kahalgaon, District- Bhagalpur, present posted as Assistant teacher in Middle School Anadipur Block Kahalgaon.
36. Rajesh Kumar Singh, Son of Suresh Prasad Singh, Resident of Village- Block Road Khutahari, P.O.- Lalapur Bhader, P.S. Kahalgaon, District- Bhagalpur, present posted as Assistant teacher in Middle School Yamuniyatola Block Kahalgaon.
37. Shankar Kumar Mandal, Son of Lakshmi Narayan Mandal, Resident of Village- Shivnarayanpur, P.O.- Mathurapur, P.S. Kahalgaon, District- Bhagalpur, present posted as Assistant teacher in Middle School Gaughatta Block Kahalgaon.
38. Jaynandan Pd. Singh, Son of Late Mahadeo Pd. Singh, Resident of Village- Nayanagar, P.O. Krishnadaspur, P.S.- Budhuchak, District- Bhagalpur, present posted as Assistant teacher in Middle School Birbanna Block Kahalgaon.
39. Anil Kumar Rajnish, Son of Janardan Pd. Mandal, Resident of village- Dudhaila, P.O.- Gangapur, P.S.- Sultanganj, District- Bhagalpur, present posted as Assistant teacher in Middle School Darwari Sngh, Block Sultanganj.
40. Jitendra Kumar, Son of Uchit Narayan Tanti, Resident of Village- Shivpur, Lougayn, P.S. Haweli Kharagpur, District- Munger, present posted as Headmaster in Middle School Fatehpur, Block Sultanganj.
41. Rajiv Kumar, Son of Parshuram Prasad, Resident of Village- Singhiya (Punsara), P.O.- Shivkund ,P.S. Naya Ramnagar, District- Munger, present posted as Headmaster in Middle School Dhudaila, Block Sultanganj.
42. Jamadar Das, Son of Butti Lal Das, Resident of Vilage- Dudhaila, P.O. Gangapur, P.S. - Sultanganj, District- Bhagalpur, present posted as Assistant



teacher in Kanya Middle School Kalyanpur, Block Sultanganj.

43. Sudhakar Rajak, Son of Sitaram Rajak, Resident of Village- English Chichraon, P.O. and P.S. Akbarnagar, District- Bhagalpur, present posted as Assistant teacher in Government Middle School Kharihiya, Block Sultanganj.
44. Jainendra Kumar Das, Son of Late Shakun Das, Resident of Village and P.O.- Khaira Dorain, P.S. Haweli Kharagpur, District- Munger, present posted as Assistant teacher in Middle School Belari, Block Sultanganj.
45. Sanjiv Kumar, Son of Maheshwar Ravi Das, Resident of Village and P.O.- Karhariya, P.S. Bath, District- Bhagalpur, present posted as Headmaster in Middle School Karhariya, Block Sultanganj.
46. Arvind Kumar, Son of Brahmdeo Mandal, Resident of Village and P.O.- Jhoua Bahiyar, P.S. Bariyarpur, District- Munger, present posted as Assistant teacher in Middle School Tilakpur, Block Sultanganj.
47. Shailendra Kumar Jha, Son of Umesh Chandra Jha, Resident of Village and P.O. and P.S.- Ishakchak, District- Bhagalpur, present posted as Assistant teacher in Middle School Dudhaila, Block Sultanganj.
48. Narendra Pratap Bharti, Son of Yadunandan Lal Bharti, resident of Village- Duhaila, P.O. Gangapur, P.S. Sultanganj, District- Bhagalpur, present posted as Assistant teacher in Primary School Gorhiyasi, Block Sultanganj.
49. Dayanand Das, Son of Bajo Das, Resident of village- Hathiya Darha, P.O.- Darha, P.S. Belhar, District- Banka, present posted as Headmaster in Middle School, Mirhatti, Block Sultanganj.
50. Manoj Kumar, Son of Adhiklal Singh, Resident of Village- Phulwariya, P.O.- Sajour, P.S.- Sajour, District- Bhagalpur, present posted as Headmaster in Middle School Pachrukhi, Block Shahkund.
51. Anna Meri Murmu, Daughter of Durga Murmu, Wife of Clement Soren, Resident of Village- Dumaria, P.O. Chuapani, P.S.- Bounsi, District- Banka, present posted as Assistant teacher in Primary School Nasrat Khani, Block Nagar Nigam West, Bhagalpur.
52. Niraj Kumar, Son of Late Triveni Prasad Singh, Resident of Village- Bhattichak, P.S.- Surihari, P.S. Amarpur, District- Banka, present posted as Assistant teacher in Middle School Narayanpur, Block Shahkund.
53. Radhe Das, Son of Prayag Das, Resident of Village and P.O., P.S.- Laxmipur, District- Jamui, present posted as Headmaster in Middle School Chara Bargoan Block Shahkund.
54. Rakesh Kumar Chaurasia, Son of Late Ram Krishna Modi, Resident of Village, P.O. and P.S. Sajour, District- Bhagalpur, present posted as Headmaster in Middle School Tetarhar, Block- Nathnagar.
55. Pankaj Moses, Son of Stanly Moses, Resident of Village- Sahebganj, Church Road, P.O.- Champanagar, P.S. University, District- Bhagalpur, present posted as Assistant teacher in Muniram Khetan Middle School Nathnagar, Block Nagarnigam West Bhagalpur.
56. MD. Moinuddin, Son of Late Afzal Ahmad, Resident of Village and P.O. Simaria, P.S. Kajraili, District- Bhagalpur, present posted as Assistant teacher in Urdu Primary School Mogalpura, Block Nagarnigam East,



Bhagalpur.

57. Prabhakar Matwala, Son of Gurudeo Mandal, Resident of Village- Kelawari, P.O.- Jotgovind, P.S. Ismailpur, District- Bhagalpur, present posted as Headmaster in Kanya Middle School Mundichak, Block Nagarnigam East Bhagalpur.
58. Anoj Kumar Rajak, Son of Late Rajendra Rajak, Resident of Village- Pain, P.O.-Tilakpur, P.S. Sultanganj, District- Bhagalpur, present posted as Headmaster in Middle School Khurd Kajraili, Block Nathnagar.
59. Ragini Kumari, Wife of Anil Kumar, Resident of Mohalla- New Colony, Mahavir Path, P.O. and P.S. Nathnagar, District- Bhagalpur, present posted as Assistant Teacher in Primary School Sujapur, Nagarnigam West, Bhagalpur.
60. Shobha Kumari, Wife of Binay Kumar Rajak, Resident of Mohalla- Laluchak Angari, P.O. and P.S.- Ishakchak, District- Bhagalpur, present posted as Assistant Teacher in Middle School Ishakchak, Nagar Nigam East, Bhagalpur.
61. Neelendra Kapri, Son of Late Surendra Kapri, Resident of Mohalla- Tulsinagar Bank, Colony, P.O. Tilkamanjhi, P.S.- Barari, District- Bhagalpur, present posted as Headmaster in Urdu Girls Middle School Barahpura, Nagar Nigam East, Bhagalpur.
62. Yugal Kishore Yugal, Son of Late Anandi Prasad Yadav, resident of Mohalla- L.I.C. Colony, P.O.- Bahadurpur, P.S.- Industrial Area, Zero Mile, District- Bhagalpur, present posted as Assistant Teacher, in Middle School Police Line, Nagar Nigam, East Bhagalpur.
63. Manmohan Mandal, Son of Late Narayan Mandal, Resident of Village and P.O.- Pakra, P.S. - Naugachia, District- Bhagalpur, present posted as Headmaster in Middle School Sudan Tola, Block Ismailpur, Bhagalpur.
64. Sabdhesh Ravidas, Son of Late Baleshwar Ravidas, Resident of Village- Tikluganj, P.O. Mathurapur, P.S. Kahalgaon, District- Bhagalpur, Present posted as Headmaster in Middle School Nandlalpur, Block Kahalgaon.
65. Jayant Prakash, Son of Phul Prakash Mandal, Resident of Village- Bansipur, P.O.- Shobhnathpur, P.S.- Kahalgaon, District- Bhagalpur, present posted as Assistant Teacher in Middle School Maheshamunda, Block Kahalgaon.
66. Sobodh Kumar, Son of Munilal Singh, Resident of village Malekpur, P.O.- Pirpainti Bazar, P.S.- Pirpainti, District- Bhagalpur, present posted as Assistant Teacher in Middle School Kagzi Tola, Block Kahalgaon.
67. Niranjana Kumar Mandal, Son of Bal Mukund Mandal, Resident of Village and P.O.- Moul Tola, P.S. Pirpainti, District- Bhagalpur, Present posted as Assistant Teacher in Middle School Goughatta, Block Kahalgaon.
68. Prabhu Narayan Singh, Son of Late Bahadur Singh, Resident of Village- Shobhnathpur, P.O.- Budhuchak, P.S.- Budhuchak, District- Bhagalpur, Present posted as Assistant Teacher in Middle School Goughatta, Block Kahalgaon.
69. Birbal Singh, Son of Shiv Narayan Singh, Resident of Village- Khawaspur, P.O.- Khawaspur, P.S. Pirpainti, District- Bhagalpur, present posted as Assistant Teacher in Primary School Refugee Colony, Block Kahalgaon.



70. Kameshwar Marandi, Son of Guru Marandi, Resident of Village and P.O. Channo, P.S.- Rasalpur, District- Bhagalpur, present posted as Assistant Teacher in Middle School Channo Gohar, Block Kahalgaon.
71. Ajay Kumar, Son of Late Parmanand Singh, Resident of Village- Nandlalpur, Rani Diyara, P.O.- Krishandasapur, P.S.- Budhuchak, District- Bhagalpur, present posted as Assistant Teacher in Urdu Middle School Ekdar, Block Kahalgaon.
72. Kaisar Imam Ansari, Son of Md. Naimuddin Ansari, Resident of Village- Dilgouri, P.O.- Abjuganj, P.S.- Sultanganj, District- Bhagalpur, present posted as Assistant Teacher in Urdu Kanya Pratmik Vidhalaya Hossainpur, number-2, Nagarnigam (West), Bhagalpur.
73. Asghar Ali, Son of Md. Zafar Alam, Resident of Mohalla- Asanandpur, P.O.- Bhagalpur City, P.S. - Tatarpur, District- Bhagalpur, present posted as Assistant Teacher in Urdu Middle School Kabirpur, Nagarnigam (West), Bhagalpur.
74. Ziaul Haque, Son of Md. Najmul Haque, Resident of Mohalla- Mojahidpur West, P.O.- Bhagalpur City, P.S. - Mojahidpur, District- Bhagalpur, present posted as Assistant Teacher in Urdu Middle School Garhoutia, Block Goradih.
75. Md. Najib Alam, Son of Md. Mojib Alam, Resident of Village -Simaria, P.O.- Simaria, P.S Nathnagar, District- Bhagalpur, present posted as Assistant Teacher in Urdu Primary School Hussainabad, Nagarnigam (East), Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through its the Addl. Chief Secretary of the Education Department, Govt. of Bihar, Patna.
2. The Addl. Chief Secretary of the Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The Regional Deputy Director of Education, Bhagalpur, District- Bhagalpur.
5. The District Education Officer, Bhagalpur, District- Bhagalpur.
6. The District Programme Officer (Establishment), Bhagalpur, District- Bhagalpur.
7. The District Account Officer, Bhagalpur, District- Bhagalpur.
8. The District Treasury Officer, Bhagalpur, District- Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Gupta, Advocate
For the Respondent/s : Mr.Jitendra Kumar Roy (Sc13)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER



2 27-02-2020 Learned counsel for the petitioners would submit that the issue raised in the present writ petition is no more res integra. Similar issue was examined and decided by this Court in CWJC No. 7255 of 2018 (Jivan Kumar Ghosh & Ors. Vs. The State of Bihar & Ors.) vide order dated 20.04.2018.

In order to maintain consistency, the present writ petition is disposed of in terms of the decision dated 20.04.2018 in CWJC No. 7255 of 2018.

(Anil Kumar Upadhyay, J)

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