

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24934 of 2019

1. Anup Kumar Tiwari,
2. Mandhup Kumar Tiwari,
Both sons of Ramprit Tiwari, resident village- Ganeshsthan Manjha (Manjha Kanhwaria), Police Station- Phulwaria, District- Gopalganj.
3. Abhay Kumar Tiwari, son of Arvind Tiwari, resident of village Ganeshsthan Manjha (Manjha Kanhwaria), Police Station-Phulwaria, District- Gopalganj.
4. Pradeep Kumar Dubey, son of Vishwanath Dubey, resident of village- Fatehpur, Police Station-Hathua, District- Gopalganj.
5. Sahana Khatoon, wife of Khushnain Ansarai,
6. Bakhtawar Khatoon, wife of Amirain Ansarai, Both 5 & 6 resident of village- Imiliya Manjha, Ganeshsthan Manjha, Police Station-Phulwaria, District- Gopalganj.
7. Prakash Kumar Tiwari, son of Chandra Shekhar Dubey, resident of village- Kandhwariya Manjha, Police Station- Hathua, District- Gopalganj.
8. Nitesh Kumar Patha, son of Alakh Deo Pathak, resident of village- Amwa Nakchhek, Police Station- Gopalganj Town, District- Gopalganj.
9. Tuwid Ranjan Tiwari, son of Arun Kumar Tiwari, resident of Mohalla- Ram Nath Sharma Marg Vidya Nagar, Police Station- Gopalganj (T), District- Gopalganj.
10. Surendra Chaurasia, son of Motilal Chaurasia, resident of village- Domanpur, Police Station- Bhore, District- Gopalganj.
11. Ratilal Tiwari, son of Damodar Tiwari, resident of village-Manjha Kanhwaria, Police Station- Phulwaria, District- Gopalganj.
12. Aprajita Kumari Tiwari, daughter of Vinay Kumar Tiwari, resident of village- Samail Goroup, Peoli, Police Station- Hathua, District- Gopalganj.
13. Sanjeev Kumar Pandey, son of Ram Barai Pandey, resident of village- Barkagaon, Police Station- Hathua, District- Gopalganj.
14. Prem Kishore Tiwari, Son of Suresh Tiwari, resident of village- Ganeshsthan Manjha, Police Station- Phulwaria, District- Gopalganj.
15. Prabhat Baitha, son of Bichar Baitha, resident of village- Madhopur, Police Station- Phulwaria, District- Gopalganj.
16. Vina Bharti, d/o Jaleshwar Singh,
17. Priyanka Gupta, d/o Gorakh Prasad Gupta, both 16 and 17 residents of village- Selan Khud, P.O. Pakauli Bado, Police Station- Phulwaria, District- Gopalganj.
18. Kumari Minki Pandey, wife of Shailesh Kumar Pathak, resident of village- Selar Khurd, Police Station- Phulwaria, District- Gopalganj.
19. Punita Kumari, d/o Laxman Chaodhur,
20. Bikky Kumar, d/o Satyendra Singh, Both residents of village- Maripur, Police Station Phulwaria, District- Gopalganj.



21. Priyanka, d/o Subhash Chandra, resident of village- Mairwa, Police Station- Kushinagar, District- Kushinagar (U.P.)
22. Shashiranjay Kumar Bharti, s/o Prabhunath Singh, resident of village- Bada Koirauli, Police Station- Hathua, District- Gopalganj.
23. Dhananjay Kumar Singh, son of Amarjeet Singh, resident of village- Kabirpur, Police Station- Sidhwalia, District- Gopalganj.

... .. Petitioners

Versus

1. The Union of India through the Secretary, Department of School Education and Literacy, Ministry of Human Resources Development, Govt. of India, Shastri Bhawan, New Delhi- 110001.
2. The State of Bihar through the Director Primary Education, Govt. of Bihar, Patna.
3. The Chairman, National Institute of Open Schooling, A- 24-25, Institutional Area, Sector- 62, Noida- 201309 (U.P.).
4. The Director, National Council for Teacher Education, Northern Regional Committee, New Delhi.
5. The District Education Officer, Gopalganj.
6. The District Programme Officer (Estab.), Gopalganj.

... .. Respondents

Appearance :

For the Petitioners	:	Mr. Lokesh Kumar Singh, Advocate
For Union of India	:	Mr. S.D.SanjayAddl. Sol. Gen.
For NIOS	:	Mrs. Punam Kumari Singh, Advocate
For NCTE	:	Mr. Sunil Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 13-02-2020 Heard learned counsel for the petitioners and learned counsel for the respondents.

At the very outset, learned counsel for the parties admits that the issue involved in the present writ application was finally decided by a coordinate Bench of this Court vide judgment dated 21.01.2020 passed in CWJC No. 19842 of 2019 **(Sanjay Kumar Yadav Vs The State of Bihar & others)**.



In view of the aforesaid, the writ application is disposed of with a direction to the Director, Primary Education, Government of Bihar, Patna to consider the case of the petitioners in the light of the judgment dated 21.01.2020 passed in CWJC No. 19842 of 2019 (**Sanjay Kumar Yadav Vs The State of Bihar & others**) and to extend the similar benefits to the petitioners in this case.

(Anil Kumar Upadhyay, J)

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